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**The Political Economy of Land Reform in
South Africa and Zimbabwe:
A Comparative Study**

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**A Dissertation
Submitted to the Faculty of the
Graduate School of Arts and Sciences**

of

HOWARD UNIVERSITY

**in partial fulfillment of
the requirements for the
degree of**

DOCTOR OF PHILOSOPHY

Department of Political Science

by

Emmanuel Olukayode Ogunsalu

*

**Washington, D.C.
May 2001**

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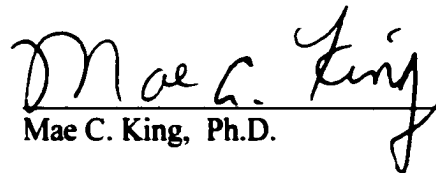
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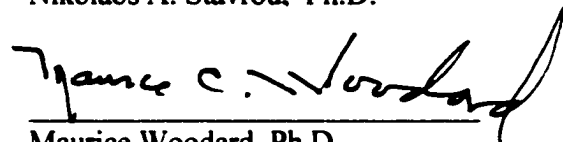
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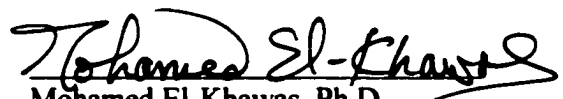

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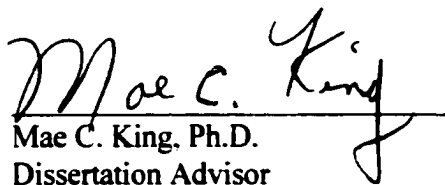

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DEDICATION

To my mother, Emma Adebisi Ogunsalu, and to the memory of my father, James Ayinde Ogunsalu, to my wife, Tina Atinuke Ogunsalu, and to my wonderful children, Christina, Emmanuel, Rachel, Matthew and Michael.

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ABSTRACT

This study compares the political economy of land reform in South Africa and Zimbabwe, after independence. The pre-independence political economy of both countries produced inequalities in land distribution, which led to uneven economic development along racial lines between black and white. Immediately after independence, with black majority rule, there was an urgent call from civil society to redress apartheid injustice and to promote extensive land reform.

The dissertation examines the complex issues that are associated with land reform policies in South Africa and Zimbabwe and identifies the underlying constraints that affects land policy in both countries. It examines the structure of land reform and the basic political and economic issues associated with it. In South Africa, the land reform policy is designed to reduce rural poverty, contribute to government's growth, create employment for the population and enhance social equity. Likewise, in Zimbabwe, the land reform policy emerged as a measure to ameliorate land conflict, reduce uncertainty in the region's political economy and create growth and equity. The study shows that the implementation of land reform in Zimbabwe and South Africa has attained only limited achievements since independence .

The findings reveal that weak political commitment to land reform, institutional inadequacy, bureaucratic feud, external actors, domestic constituency, and inadequate resources have negatively contributed to undermine the process of land reform.

The overall assessment in this study confirmed the state's weakness in the political economy of sub-Saharan Africa. Both South Africa and Zimbabwe were significantly dependent on external aid to survive and carry out their development obligations with regard to land reform.

The study used comparative historical analysis and case study. The research was conducted through field studies in South Africa and Zimbabwe.

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Chapter 1

INTRODUCTION

Political economy is a social discourse that unveils the eminent crossroads of the traditional fields of political science and economics for international actors and nation-states. It seeks to explain how political power shapes economic outcomes and how economic forces constrain political action.

The pre-independence political economy of both Zimbabwe and South Africa produced inequalities in land distribution, which led to uneven economic development along racial lines between black and white. Zimbabwe's 4500 large scale commercial white farmers held more than 45 percent of high grade agricultural lands, while its 8500 small scale commercial black farmers had only 5 percent of the country's agricultural lands. Half of this land is located in low grade areas. A similar situation prevails in South Africa, 12 percent of the white population controls 86 percent of the country's lands, while 75 percent of the black population possess only 14. In both countries, white-led governments used political power for economic and social engineering.

Political economy may have different meanings. According to Jeffrey Frieden and David Lake:

For some, it refers primarily to the study of the political basis of economic actions, the way in which government policies affect market operations. For others, the principal preoccupation is the economic basis of political action, the ways in which economic forces mold government policies. The two focuses are in a sense

complimentary, for politics and markets are in a constant state of mutual interaction.¹

Understanding the relationship between politics and economics is important for a successful land reform policy. As a result, political economy has become an essential tool for social mobility and national prosperity in general.

The impact of politics and economics was recognized as early as the sixteenth century when mercantilism characterized the international economy at the time. This economic system attempted to integrate the power and wealth of a country and use it as an instrument of national policy. In the nineteenth century, capitalism emerged as the major international economic system, and free trade became a key feature of capitalism. Under Britain's hegemonic leadership, capitalism became the dominant economic system and economic forces molded the politics of the nation-state. The free trade and profit features of the capitalist economy encouraged the rise of colonialism, as individuals assumed the initiative to trade and profit in different parts of the world, including Africa, Asia and Latin America.

The global merchants sought to use the power of their home governments to protect their interests against hostile indigenous forces; as a result, states such as Portugal, Britain, France, Belgium, and Germany, among the European powers, adopted the policy of colonialism and competed with each other in their rush for foreign territorial holdings. Consequently, the twentieth century unfolded with about ninety percent of

¹Jeffrey A. Frieden, David A. Lake, International Political Economy: Perspectives on Global Power and Wealth, New York: St. Martin's Press, 1987, p.1

Africa under European colonial rule. The legacy of this colonial rule shaped the economics and politics or the political economy of land reform in Africa.²

The legacy of colonial rule in Africa, and the continents' sudden thrust into the world's uneven economic arena, created a political economy of dependency. These events became the nucleus for different opinion as some argued that the cause of poverty among African nations is the result of unequal global economic order. Others blamed domestic politics and internal economics within the African countries. Apparently, the inadequate economic development policies in some countries have to contend with an adversarial international economic environment. This economic inadequacy resulted in poverty and socio-economic inequalities, since most African governments were forced to depend on foreign financing in the form of external borrowing and official grants.³

Poverty and inequality are major problems in Sub-Saharan Africa, especially for rural people. The solution of these problems requires raising the living standards of the people in the region through land reforms and development. The majority of the disadvantaged are rural people. Most of these people are denied the means for self-improvement due to their lack of access to a basic resource-- land, a commodity that has become the object of continuous struggle for the poor. Land reform has come to symbolize a popular struggle for the redistribution of wealth and promotion of economic development in Africa since independence. The continent is still primarily agricultural and

²Frieden, International Political Economy: Perspectives on Global Power and Wealth, 67-70

³Kempe R. Hope, Sr. African Political Economy-Contemporary Issues in Development, New York: M.E. Sharpe, 1997, 1-8.

land and farming are the backbone of most communities. Almost eighty percent of the people live in the rural areas and are mostly peasant farmers. Indeed, agriculture represents about seventy-five percent of the work-force in Africa.⁴

Land reform can be an important instrument that facilitates rural development, social justice and political stability. The governments of developing nations and the governing bodies of international organizations officially committed themselves in 1979 to focus on equitable distribution of land, and to implement land reform measures quickly to eliminate malnutrition before the year 2000. In 1979, the governments of South Africa and Zimbabwe were still controlled by white minority apartheid and colonial regimes respectively. However, the African majority opposition to these regimes embraced land reform as essential to African liberation.⁵

According to Essy Letsoalo:

It is not a coincidence that rights to land have played a prominent part in social, political and economic upheavals in countries with large peasant societies. Peasants rarely have anything other than land and labor to sustain themselves. Without capital, with limited mobility and few alternative opportunities for making a livelihood, they are tied to the land; threats to their position vis-a-vis the land are threats to their societies.⁶

European colonization in Sub-Saharan Africa has essentially disturbed the equilibrium between Africans and the Land. In West Africa, Europeans were more

⁴Russell King, Land Reform - A World Survey, Boulder: Westview Press, 1977, 3

⁵M. Riad El-Ghoneny, The Political Economy of Rural Poverty-The Case For Land Reform, New York: Routledge, 1990, 1.

⁶Essy M. Letsoalo, Land Reform in South Africa - A Black Perspective, South Africa: Skotaville Publishers, 1987,1.

interested in trade. They left production of tropical products to indigenous farmers. In Eastern and Southern Africa, the European colonists were more interested in the land and farming than in trade due to the favorable farming environment. The effects of colonial rule and colonial exploitation of land set the pattern of political economy that emerged in the regions for many years.⁷

Inequality in land ownership creates social problems, racial division and uneven development in both Zimbabwe and South Africa. To the landless it has become the pre-eminent reason for the call for land reform in both countries. In Zimbabwe, the struggle for independence was also a struggle for land. Likewise, in South Africa, the uprising against apartheid was also a fight to end the uneven distribution of land.

In both countries, the struggle for political liberation was won in Zimbabwe in 1980 and in 1994 in South Africa. However, this political emancipation has not yet yielded the benefits of economic prosperity. To attain equitable development and to reduce the economic inequities “along racial lines” in the society, land reform programs were instituted in both countries.

South Africa, Apartheid and the Economy of Inequality.

The two recurring themes of South Africa’s political economy are the legacy of apartheid and the role of the state and of markets in reforming the socio-economic inequalities synonymous with apartheid. Historically, the South African government intervened extensively in the economic, social, and political developments of the country.

⁷King, Land Reform, 330-332.

Since 1910 in South Africa, the state has directed the flow of goods and resources and the allocation of ownership rights. In addition, it has regulated political and social institutions to enhance the interest of some segments in the white population, particularly the Afrikaner descendants.⁸

Whites in South Africa enjoy a relatively high standard of living, but years of apartheid have saddled most blacks in the country with third world living standards. Many white South Africans consider their country rich, the envy of Africa. In a way, the whites are correct measured by its Gross Domestic Product(GDP) per head (\$3,050 in 1991). South Africa ranks alongside Hungary and better-off Latin American economies. Other social indicators, such as infant mortality, life expectancy and adult literacy suggest that South Africans easily out perform their African neighbors. It is instructive to see what happens when you desegregate the numbers and take a careful look along race line.⁹

In 1988, Gross Domestic Product (GDP) per head for South African whites was \$6,500. Their life expectancy was 73 years, adult literacy was nearly 100%, infant mortality among white South Africans was 13 per 1,000. However, for black South Africans the GDP per head was \$670, life expectancy was 57 years, adult literacy was less than 60% and infant mortality is 57 per 1,000.¹⁰

With about 7 million whites, and 33 million blacks, and the black population

⁸Adebayo Adedeji, ed. South Africa and Africa: Within or Apart, New Jersey: Zed Books, 1996, 118-120.

⁹“Between Two Worlds” The Economist, March 20, 1993. 3.

¹⁰Ibid., 3.

growing at over 3% a year, unequitable land distribution has become one of the greatest problems in South Africa. Under apartheid laws, 86% of agricultural land was reserved for whites, who comprised only 12% of the country's population. The worst agricultural lands amounts to 14% of land surface and was allocated to the black majority population. This inequity led the African National Congress (ANC) to recommend in its White Paper on Reconstruction and Development (RDP) that 30% of white farmlands should be returned to the black farmers within five years after the dismantling of apartheid in 1994.¹¹

Black farmers lacked access to agricultural support services, finance, and productive infrastructure.¹² Nearly half of the labor force in South Africa has no formal job. Some 8 million out of 33 million blacks live in shacks, 12 million have no clean water, 14 million cannot read. Also, white schools had 82,000 unfilled position in 1992, but 2 million black children had no schooling and the black passing-rate in the school-exit examination dropped to just 35% in 1993.¹³

In its transition from an apartheid nation to a newly democratic country, political and economic reform began to take place incrementally in South Africa in the 1970s. This reform led to the legalization of the African National Congress(ANC), to the dismantling of the apartheid system in the 1990s; and to the democratic election of a black

¹¹Anne Shepherd, "The Land Inequity" Africa Report, 39:1 January - February 1994, 65.

¹²Ibid., 65-66.

¹³"The Cost of Undoing Apartheid" The Economist, February 5, 1996, 37.

majority government, with Nelson Mandela as President. The government of South Africa under Mandela's administration committed itself to a strategy of land reform.

Zimbabwe, Land and the Economy of Inequality.

A new era began in Zimbabwe with independence in 1980. However the political and economic inheritance of the past continue to determine opportunities and impose constraints on the new nation and its leaders. During the period of white minority rule which lasted between 1890 and 1980, the African majority was deprived of most of their land.¹⁴ For example, Cecil Rhodes, a European colonizer, moved North from South Africa into Southern Rhodesia, which later became Zimbabwe, in search of mineral resources. However, Southern Rhodesia did not yield the kind of mineral wealth that was found in South Africa. This lack of abundant mineral resources, not only minimized white migration from South Africa to Southern Rhodesia but it also led to the white settlers entry into the occupation of farming.¹⁵

The white settlers' decision to move into farming resulted in forced removal of Africans from rich farm areas to tribal reserves, which generally did not have fertile land. During the colonial period, the state controlled by the European settlers began to intervene more in Southern Rhodesia's economy in order to secure the interests of the

¹⁴Jeffrey Herbst, State Politics in Zimbabwe, Berkeley: University of California Press, 1990, 13.

¹⁵Ibid., 13-14.

whites. In the early 1950s, the government enacted comprehensive price controls over large parts of the economy. White farmers became the beneficiaries of a government system that sets prices for crops and guaranteed the purchase of these crops when they were marketed. As a result, whites created a system that provided economic security that was basically shock-free with a near guarantee of a high standard of living. By the 1950s, this part of socialism for the whites had enabled each white household, to have an average, of two African servants.¹⁶

Land was the central issue during the liberation struggle for Zimbabwe that culminated in the African majority rule and independence. According to Herbst:

From the very onset of political armed struggle against colonialism, the key issue was land. It was the fight for land which led to the deaths of ten of thousands of Zimbabweans during the Armed Struggle: true Zimbabwean patriots saw there could be no freedom without the liberalization of the land from the colonial settlers.¹⁷

The appropriation of African Land by the European settlers guaranteed white economic dominance and black poverty. The inequitable distribution of land in Zimbabwe represents an enduring structure of unequal society, a society that became an embodiment of “one nation, two worlds.” In order to make cogent evaluation of the land policy in Zimbabwe and South Africa, the study will focus on the post-independence land reform policies in the two countries.

¹⁶Herbst, State Politics in Zimbabwe, 22.

¹⁷*Ibid.*, 40.

STATEMENT OF THE PROBLEM

As long as the economies that exist in Southern Africa and Africa at- large are land based, dependent on agriculture and have major uneven distributions, land reform will remain a fundamental issue for public policy , social transformation and economic development in the region. At the moment, in both South Africa and Zimbabwe there are interracial disputes over land in each respective country, and other countries within the boundaries of sub-Saharan Africa, have their own local land disputes.

According to N. Marongwe, over 70 percent of the population in sub-Saharan Africa are dependent on agriculture -- meaning dependent on land possession for their livelihoods. The slow rate at which industrialization is taking place in this region essentially means that land will continue to be the chief source of earning a modest living in these countries. Land has become a primary means to wealth in Africa. Therefore, public policy on land reform programs have become an absolute tool for social equity engineering and economic development.¹⁸

In Southern Africa, land reform programs have been on the fore-front of the region's agenda since the attainment of independence, however, the land reform problem still persist and remains unsolved. Essentially, basic human rights includes the right to

¹⁸N. Marongwe, "Land Reforms in Zimbabwe and The Southern African Region: Issues and Perspectives." Zero - a Regional Environment Organization, July 23, 1997, 1.

produce, access food, and be free from hunger, right to adequate housing, and right to information on events surrounding land issue.¹⁹

In Zimbabwe and South Africa, land reform initiatives have become a problem. The two governments that have responsibilities to initiate and implement land reform in these countries have been caught entangled within the world's economic system. Both countries' land reform problems are unique and multidimensional in nature. They involve class, race relations, development, and public policy.

Thus, land reform problems in Zimbabwe and South Africa have become a focal issue that needs to be evaluated based on unique characteristics. South Africa's African National Congress (ANC) pledged land reforms in 1994 as it took over the government of South Africa. Also, Zimbabwe African National Union - Patriotic Front (ZANU-PF), made a similar pledge when it took over the reins of government in Zimbabwe in 1980. In both countries, to achieve a meaningful land reform that will be supportive of development, some fundamental problems must be overcome. These problems are in essence political, social, and economic in nature; and calls for prudent public policy and public administration by the government technocrats.

First, a major problem that plagues both Zimbabwe and South Africa is the problem of balancing the public policy goal of redistributing land without impairing the

¹⁹Ibid., 1-2.

formidable progress attained in agriculture especially with the minority white settlers in both countries who have established prosperous, large, commercial farms at the expense of the majority black peasant farmers. It is important to note that both Zimbabwe and South Africa have similar land ownership and economic paradigms. The question now seems - is it a smart policy, to dismantle a viable sector of the economy that generates foreign revenue in order to correct the injustice of the past?

Second, in the last 20 years, Zimbabwe's government has been wrestling with the land reform programs, and yet, they are still without a clear policy. Initially, there was the Lancaster Constitutional Agreement which emphasize "willing-seller, willing-buyer" agreement -- that will enable a demand - led land reform. Also, land was to be purchased with foreign currency. This initial agreement was a handicap to Zimbabwe's authorities. It expired in 1990 but the country is now facing new problems; namely lack of funds to purchase the large commercial farms at market rates and interventions from international economic organizations.

Third, another problem involves how to balance race-relations and social equity as both countries strive to implement the land reform programs in their respective countries. The lop-sided land ownership by the white minority in both countries has been confirmed unequal and unfair both locally and internationally. In the case of South Africa, this situation prompted the ANC to suggest that 30 percent of the land being held by the whites would be returned within 5 years after the end of apartheid in 1994 independence. However, there would still be 40-50 percent of total South African land in the hands of about 12 percent of the minority white population.

In Southern Rhodesia, which became Zimbabwe at independence, the land inequity situation was given legal effect through the land Apportionment Act of 1930 which set aside 51% of the land for a few thousand white settlers and prohibited Africans from owning or occupying lands in the white areas. The African population of several millions was crowded into the Native Reserves where they live without any legal rights to land as the land was owned by the state. Likewise in South Africa, the most important major piece of apartheid legislation was the Group Areas Act, which provided for the division of the country into areas and assigned specific areas to each of the races. It thereby set the stage for what became the one nation, two worlds paradigm that has since existed in South Africa.

Fourth, is the problem of government having an effective organization and resources to implement the land reform programs. As President Mugabe testified, after 19 years of continuous implementation of land reform in Zimbabwe, there are still problems with organizational structures and levels of coordination. Thus far, Zimbabwe has been able to redistribute only one-third of its land to the landless or those who were forcefully removed. Moreover, the acquired land parcels are not necessarily the most fertile land.

Fifth, since the land reform process is market driven and its social aspect minimized, most people do not have the necessary financial resources to purchase needed land, and also lacked necessary credits to maintain or improve their land. Moreover, relatively small budgetary allocations have been made for land reform.

Finally, at independence, both Zimbabwe and South Africa embraced the policy of land reform to reverse the racially-based land policies that were the cause of insecurity,

landlessness and poverty amongst black people. In order to deal with the injustices of racially-based land dispossession and the inequitable distribution of land ownership, Zimbabwe's first Land Reform and Resettlement Programme(LRRP) was implemented between 1980 and 1997. Also in May 1995, South Africa initiated its land reform policy. This study will cover these periods, from 1980 for Zimbabwe, and 1994 for South Africa, to the present in analyzing the land reform policy of these countries.

THE OBJECTIVES

The purpose of this study is to investigate the complex issues that are associated with the land reform policy in Zimbabwe and South Africa and to identify the underlying constraints that may affects the land policy in both countries. The dissertation focus is on three basic objectives.

- (1) Analyze the structure of land reform in Zimbabwe and South Africa.

Review the legal and administrative procedures for land reform. The study assessed the structural bottleneck that has impaired the mobilization of land reform in South Africa and Zimbabwe. It also investigates to what extent the land reform policy implementation has been instrumental to social and economic progress in each country.

As a result of systematic land dispossession, Africans were forced into changin and fluctuating productive relationships with the land. They moved through land ownerships, sharecropping and labor tenancy to total landlessness. Also, the process of political transformation in Zimbabwe and South Africa has witnessed the systematic

eviction of labor tenants from the land they call home by forestry companies and white farmers. The contest for land ownership and the belief of labor tenants that they have a share in the land is a consequence of historical struggles. From the periods of colonial conquest and land dispossession to the periods of whites policies of institutionalized racial access to land in both countries, blacks have experienced harsh and frequently violent oppression during attempts to dispossess them of their land.²⁰

At independence in both Zimbabwe and South Africa, there was an urgent call from the civil society to redress apartheid injustice and to promote extensive land reform. These calls brought about the introduction of land reform programs in both countries, designed to allow a market-based redistribution of agricultural land to address the unequal land distribution, apartheid injustice and to promote economic development among the people. Historical experience in both countries and throughout Southern Africa show that there is inadequate institutional support structure, that there is lack of concrete administrative procedure and that the slow-pace of access to land by the poor peasants does little to promote income generating activities. The empirical analysis of this study will shows that blacks in both Zimbabwe and South Africa are very poor, have little access to important infrastructure, and many are unable to use the land to which they have access, especially in Zimbabwe.²¹

²⁰Abie Dithlake, "Labor Tenancy And The Politics Of Land Reform In South Africa," in Richard Levin and Daniel Weiner, eds. "No More Tears... Struggles For Land in Mpumalanga, South Africa", New Jersey: Africa World Press, Inc., 220-226.

²¹Bookwater, Jeffrey Thomas, "Land Reform and Rural Development in South Africa," Unpublished Dissertation, The University of Utah, 2000. 1.

(2) Examine the basic political and economic issues associated with land reform. The research examines the roles of internal and external actors in the process of land reform in both countries. The study also investigates the roles of governing political parties, civil society and government agencies in achieving equitable land redistribution in Zimbabwe and South Africa. The land reform policy of a nation is considered to be a political choice, a power relationship based on who sets the agenda and who is permitted to influence such agenda. Self-interested classes such as groups of individuals with ownership of productive factors such as land, labor and capital, behave in economically similar ways, since they are the main political and economic actors. The state is viewed as an instrument that serves the economic interests of the dominant classes or ruling elites. "Political decision making mechanisms are used to further their economic interests. Ideology is not an independent factor but a policy tool."²² In Zimbabwe and South Africa, there are no exceptions to the these rules.

(3) Assess the effectiveness and achievements of land reform in Zimbabwe and South Africa. The study measures each country's achievement relative to its stated goals within the first five years after attaining independence. In Zimbabwe, the study reviews what has been happening to the land reform policy since 1980. It highlights the reforms success and failure. The efforts to redistribute land and to implement the tenure system are also examined. Likewise, in South Africa, current characteristics of the land reform policy from 1994 was analyzed. Its three basic features - restitution, redistribution

²²Hans Binswanger and Klaus Deininger, "Explaining Agricultural and Agrarian Policies in Developing Countries," *Journal of Economic Literature*, 35, December 1997, 1982-1983.

and tenure are assessed. Finally, the impact of land reform policy on economic development and race-relations in both countries are examined.

RESEARCH HYPOTHESIS

The basic hypothesis to be tested in the process of this study is that the implementation of land reform policy in Zimbabwe and South Africa have only attained 'limited achievements' since independence because of weak political-will on the part of government, lack of cooperation among diverse interest groups, inadequate government financial resources and weak bureaucratic and institutional capacity for land reform in both countries.

In addition to this hypothesis, the following research questions were used to guide this study:

- * Has the Zimbabwean and South African governments implemented their stated land reform policies as stated at the beginning of independence?
- * Was the 'apart-ness' policy in Zimbabwe and South Africa before independence an economic tool for 'control' or a political strategy for 'domination', or both?
- * To what extent has the legal process been an effective policy tool or a hindrance to achieving land reform in South Africa?
- * To what extent has land reform policy facilitated economic development and equity in Zimbabwe and South Africa?

REVIEW OF THE LITERATURE

The literature is divided into two segments, The first will examine scholarly works to highlight the themes and general ideas relating to land reforms. The second segment deals with case studies associated with land reforms. The two segments are some of the sources of information and guidance for this research study. In poor African agrarian economies, the pattern of landholding is a major correlate of political power structure, economic relations and social hierarchy. Possession of land confers on the landlord the mutually reinforcing attributes of political privilege and social prestige.

Thus, the pattern of landownership determines the manner in which land and labor are combined for productive purposes. "These, in turn, have implications for the relative and absolute material well-being of the population, particularly as food is the major product of land."²³ This paradigm has led to passionate and often inspiring social discourse on the land question in Africa and Zimbabwe and South Africa are no exception.

Ajit Kumar examines the agrarian reform in contemporary developing countries, especially with reference to current concern with the 'land question' which emerges from the accumulated experience of economic development over the last two decades.²⁴ He

²³Ajit Kumar Ghose, Agrarian Reform in Contemporary Developing Countries, New York: St. Martins Press, 1983, 3.

²⁴Ibid.

notes that past development efforts have tended to produce a situation of rural crisis in the agrarian economies of the developing world. He contend that food and agricultural production per capita has been declining in many developing countries; that rural poverty and malnutrition have become major problems; and that conditions of employment in rural areas seems to have deteriorated in many of these developing countries in the last twenty years.

Kumar, emphasized the socio-political context in which land reform was implemented in different parts of the developing world. According to him, in Nicaragua, the reform followed a revolutionary change of government; in Peru and Ethiopia, they followed military takeovers of state power; and in Chile, the reforms were carried out by popular elected governments but were partially reversed by the military which seized power. The different socio-political contexts invariably set limits to the scope of the reforms, as it essentially represented responses to crisis situations in land ownership, agriculture, extreme poverty, and severe unemployment. The economic crises has led the democratically elected governments in Zimbabwe and South Africa to pursue the reversal of racially motivated unequal land distribution in both countries.

The process of land reforms and allocations involves a system of dual mechanisms that engage market forces and the political and administrative actions of government. In recent times, the market has become the central element in the process of land reforms, and this is also the case in both Zimbabwe and South Africa. Land reform has become a tool for economic maximization, social justice, and for political stability.

Studies on land reform has consistently supported the notion of land reforms concept, even though ideas may differ on the process and goals of the reform.²⁵

In reviewing organizational design and management in land use, Herman Boschken²⁶ argues that there is no single set of strategies or structure that can guarantee appropriate policies or decision for all values that are affected by land reform policy. He stressed that because of the broad spectrum of interests involved in land reform issues, there are no cost-free alternatives. Therefore, the issue is not to seek out a 'one best way' rather, it is to devise decision processes that are efficient in providing desired public output and effective in achieving fair outcomes for affected parties.

Consequently, Boschken posits, that the function and role of the political process is not to allocate and separate land uses since this is a function of the market, but to address allocation inadequacies. Due to potential impacts external to the market, bureaucratic rules, procedures and an enlarged role for the intergovernmental deliberation and negotiation are required. Thus land reform control involves many diverse actors, interests, resources and high levels of information uncertainty, with complex decision making tasks. Hence the administrative problems associated with land reforms are those of interdependence among political access, decision process, representation, and administrative structure which becomes a critical determinant of outcomes. These factors

²⁵Herman L. Boschken, Land Use Conflicts, Urbana: University of Illinois Press, 1982, 3-4.

²⁶*Ibid.*, 13-14.

have been an impediment to land reforms in Zimbabwe, and it has begun to emerge as a detriment to the land reform process in South Africa.

Assessing the significance of land reform and democratic development, Roy Prosterman and Jeffrey Riedinger confirms that as recently as the 1970s, over half of the world's population made its living directly from farming, and in most Third World countries agriculture still provides the livelihood of nearly six families out of every ten.²⁷ They contend that one of the most important contributions that this generation can make for the generations that will come in the next century must involve the collective ability to support large-scale programs of nonviolent reform and rural development in countries where agriculture remains preeminent. They argue that the crucial programs and policies to be put in place before year 2000 must alleviate four stunning consequences, each of them to enhance the number of lives saved or made better.

Such consequences would be: first, to avoid at least dozens of civil conflicts which may cause millions of death; second, to avoid millions of hunger and health related deaths that may occur now and during the first quarter of the coming century. Third, to avert more than twice the number of births through the creation of voluntary family planning. Finally, to create an opportunity where tyranny can be removed from the lives of many people through a well thought-out and cogent policy of support for grassroots rural development . Prosterman and Riedinger concludes, that the enhancement of basic freedoms will help the process of development and ameliorate social conditions .

²⁷Roy L. Prosterman and Jeffrey M. Riedinger, Land Reform and Democratic Development, Baltimore: The Johns Hopkins University Press, 1987, 1

Affirming Samuel Huntington's position on land reforms in his classic study Political Order in Changing Societies, both authors agree that:

Where the conditions of land tenure are equitable and provide a viable living for the peasant, revolution is unlikely. Where they are inequitable and where the peasants lives in poverty and suffering, revolution is likely, if not inevitable, unless the government takes prompt measures to remedy these conditions. No social group is more conservative than a landowning peasantry, and none is more revolutionary than a peasantry which owns too little land or pays too high a rental.²⁸

Indeed, this assumption characterize the current land situation in Zimbabwe and South Africa and has led to the quest for land reforms. In both countries, the white land owners have strenuously tried to hold on to the lands, while the black peasants have continuously tried to take back their lands from the white minority.

Clarence Senior's work on land reform and democracy asserts that hardly do the world pay attention to the echoes of Africans, Asians, and South American peasants revolt, or the news of land reforms in these continents.²⁹ He contend that farsighted analysts on the world scene has shown no complacency on agrarian matters, which is considered to be one of the fundamental aspects of the world revolution. In his study of the agrarian laws and land tenure reform in Mexico, Senior argues that the Lagunda Land Reform was announced in the interests of greater democracy, as are so many others throughout the world, including Zimbabwe and South Africa in their pursuit of land

²⁸Prosterman and Riedinger, Land Reform and Democratic Development, 7

²⁹Clarence Senior, Land Reform and Democracy, Westport: Greenwood Press, Publishers, 1974, 1

redistribution and land tenure in order to consolidate greater democracy and enhance social stability. His central aim in the study was three folds: first, to investigate how those who want the land reform are going to secure the power to carry it into effect; second, to seek how democracy will be achieved during and after the land reform; and third, to examine the kinds of technical problems that must be solved.

In conceptualizing the significance of land reform, Senior argues that most of the fundamental social changes that have indeed structured cultures in Western Europe and North America stem from land reform; examples are the fall of the Roman Empire, European Protestant Reformation, the agrarian revolutions in Britain and France, French Revolution, American Revolution, the American Civil War, and the Russian Revolution. Senior affirms that over 1,622 peasant revolts in both medieval and modern times have connections to land problem.³⁰

Senior contends that Africans are in revolt, not against white society, but rather against paternalism, racialism, economic and political domination by a small white minority. He sees the Mau Mau uprising as a mild protest to channel self-expression to secure rights, dignities, freedoms and opportunities which go along with acceptance of democratic ideas. He affirms that agrarian reforms may be peaceful, as carried out in India or they may be drenched with blood, as in the case of the Mau Mau or the forced collectivization in China. Senior concludes that “on both sides of the “iron curtain,” land reform is verbally linked with democracy.

Senior also explains that the United States used land reform to further the

³⁰ Senior, Land Reform and Democracy, 2-3.

development of democracy in Asia when its delegates sponsored resolutions in the United Nations' Economic and Social Council. United States stressed the theme that "there are sound and pressing concerns for the practical consideration by the United Nations on problems of land reform at this time." This reality led the United States to introduce land reforms in Japan, where absentee landlords, as a class, were forced to disappear and in Korea, where some 700,000 peasants acquired farms of their own in a period of five months.³¹

The purpose of Senior's work is to lay the basis for an understanding of the principal problems associated with agrarian land reform as it searches to build a new social system in which democratic values and practices are the basic norms. He uses Harold Lasswell's democratic conceptual framework as the basis for attaining land reform and democracy. He affirmed that a social system approaches democracy to the degree in which these eight goal values by Lasswell are widely shared:

- 1) Power (decision Making)
- 2) Wealth (economic goods and services)
- 3) Well-being (physical and psychic health)
- 4) Skill (opportunity to acquire and exercise latent talent)
- 5) Enlightenment (access to information and comment on which rational choices depend)
- 6) Affection (congenial human relations)
- 7) Rectitude (common standards of responsibility in theory and fact)
- 8) Respect (absence of discrimination on grounds other than merit).³²

Russell King's world survey of land reforms examines the nature of land transition, types of land reform, considers the economic and political situation that lead

³¹Senior, Land Reform and Democracy, 4.

³²Ibid., 13.

to demands for land reform policies, and the basic objectives of land reform policies in selected countries. He argues that the crucial issue is land redistribution; large scale programs which represent a forceful type of public action designed directly to reduce the political, social, and economic power of established landowners.³³

King explains that the land reform process consists of four stages: expropriation, compensation, exemption and redistribution. He grouped land reform into four types. The first type of land reform involves laws governing landlord-tenant relationships, land settlement and development programmes, agricultural credit facilities and voluntary land consolidation schemes. The second type stressed that stronger measures involve public controls short of expropriation and include rent reduction and mandatory consolidation programs. The third type examines expropriation and distribution in family plots - which represents a more courageous type of government action which is designed to prevent a revolution. The fourth type examines the collectivization schemes that were implemented in China, Russia and Cuba - this represents a governments' extreme effort on land reform.³⁴

From an economic viewpoint, King asserts that most land reforms' occur where great disparities in wealth, income and power, exist in agriculture and the economy. He contends that proposals for land reform assume that such inequalities are handicaps to progress, that extreme inequality acts as a bottleneck to development since it deprives both the rich and the poor of any real incentive to work more productively. He concludes

³³King, Land Reform - A World Survey, 5-6.

³⁴Ibid., 7.

that land reform is a basic function that provides some measure of social justice and restrict barriers to economic development.³⁵

King maintains that the most obvious situation of uneven land distribution and ownership exist more in Africa and the Latin American countries. He explains that while there are no existing comparable figures in Africa, in Latin America, countries that have not experienced land reform have 3-4 percent of the landowners holding 60-80 percent of agricultural land. In pre-reform Chile, he predicts 4.4 percent of the landowners owned 85 percent of total farmland, while in Brazil, 4.5 percent of the landowners own 81 percent of the farm land.³⁶

For King, land reform entails basic political, social and economic motives that are interrelated, sometimes mutually complementary, and at other times the fulfillment of one objective may retard another. In his assessment, the most frequent conflict is seen as those between social equality and economic efficiency. For example in India, the land reform policy had a fixed 20-acre ceiling on land ownership so that each farm household may have a minimum subsistence plot of 2 acres; King contends that creation of millions of 2-acre plots would negatively affect food production surplus in India.³⁷

Tseng Hsiao in the theory and practice of land reform in China, explores two contradictory ideologies relative to land reforms in the country. He argues that communism is an economic doctrine that is based on collectivism, while capitalism is

³⁵King, Land Reform - A World Survey, 7

³⁶Ibid., 8.

³⁷Ibid., 11.

rooted in individualism. He emphasized that the key characteristics of communist economic institutions are the public ownership of all means of production; state control of all economic activities and distribution according to one's needs. On capitalist economic institutions, the major characteristics he observed were the private ownership of all means of production, the enthronement of the principle of free competition and the distribution according to an individual's purchasing power.³⁸

Hsiao's study reviews the concept of capitalist economics which holds that "the advancement of human welfare originates in man's ability to make productive efforts; that being actuated by egoism and self-interest, man can make the best use of capital and productive power only under private ownership; and, therefore, that the private ownership of all means of production and their products must be permitted."³⁹

Hsiao contends that a third and newer type of ideology emerged between communism and capitalism. This new ideology is that of the land reformers -- popularly referred to as the "Munsen economic theory" which means "people's livelihood." This economic concept states that the means of production should be owned by the state or by the individual, that each individual's elementary needs of livelihood should be enabled by the state and that economic activities should be regulated by the state. It emphasized that all human progress depended "upon the adjustment and harmony between general

³⁸Tseng Hsiao, The Theory and Practice of Land Reform in China, Taiwan: The Chinese Research Institute of Land Economics, 1953, 5-8.

³⁹Ibid., 7.

and individual interests, or the maintenance of lasting economic concord.”⁴⁰

Hsiao posits that the ideal economy envisaged by land reformers is not public nor private ownership, but a mixed system. He maintains that all returns due to the gift of nature or social progress should be owned by the public, and enjoyed by individuals for their livelihood, while the state should be a regulator that maintain economic equilibrium through the use of political and legal means. He emphasized that land reform economic theory is “neither the capitalist type of economic anarchy nor the communist type of economic dictatorship, but economic planning par excellence.”⁴¹

In reviewing land in African agrarian systems, Thomas Basset and Donald Crummey argued that colonial administrators, African elites, and foreign donors have historically viewed indigenous land-holding systems as obstacles to increasing agricultural output. It is believed that only private freehold arrangements will provide the investment security that will make agriculture in Africa more efficient and productive. As a result, the World Bank is sponsoring new programs on titling and cadastral projects in sub-Saharan Africa with the assumption that title ownership to land will enable necessary stimulus for agricultural investments which in the long-run would enhance productivity.⁴²

Basset and Crummey’s central argument is that land tenure is a political process.

⁴⁰Ibid., 8-10.

⁴¹Ibid., 10.

⁴²Thomas Basset, Donald Crummey, ed., Land in African Agrarian Systems, Madison: The University of Wisconsin Press, 1993, p. 4

This is evident in the case studies that document various conflicts on land rights, and has become the case in both Zimbabwe and South Africa as the underlying conflict in the interracial relations has been the issue of land reform through the process of tenure -- that is how the patterns of ownership can change. It has become a constitutional as well as political issue that has torn both societies apart. It has also become a tool of social transformation in that both governments have chosen to use land tenure to redistribute land and at the same time to promote social justice and equity.⁴³

The writers emphasized World Banks' position that private property is a key incentive for farmers to invest in land improvements. This has involved an evolutionary model of tenure change and agricultural growth to redefine land rights and to fund land registration projects in sub-Saharan Africa. Apparently, individual ownership is an important tool to solve much of Africa's economic and environmental problems as indicated by Paul Harrison in the Greening of Africa, both authors agree that

Most of Africa is in the transition phase between communal and individual ownership. It is a no-man's land in which farmers have permanent rights over an area, without legal title to it. Their tenure is uncertain. They cannot offer their holding as collateral for loans because it is not fully theirs to forfeit if they default. They cannot be sure they will still be farming the same areas in ten or twenty years' time, and so they are more reluctant to invest in permanent improvements to the land, from tree planting to soil conservation works.⁴⁴

⁴³Ibid., 4.

⁴⁴Ibid., 14.

In view of these assumptions, both Zimbabwe and South Africa have added property rights inclusions to their land reform programs.

Reviewing some case studies pertinent to land reforms, Shamin Meer's study investigates the relationship between women, land and the de-facto authority prescribed for women in South Africa. She examines how land reform affects women in the region. She believes that women are generally disadvantaged, compared with men of the same race and class, in access to land, employment, labor and training. Meer contends that women are also at a disadvantage in the control they are able to exercise. In relation to the difficulties that women experience in their quest for land, She stated that women should be allowed to participate in decision-making structures from local to national level, that women's demands must be prioritized such as to receive a well-deserved commitment both at the community and national decision-making forums, and that women should be organized and empowered at community level to be forceful in articulating their position.⁴⁵

Lisa Thorp examines the social structure and family relations that enables access to land in some regions of South Africa. She argues that the customary land-tenure system in the Zulu traditional thinking indicates that all land belongs to the King, who, as a representative of the nation, has the vested power to allocate land to his subjects. In Thorp's assessment, land is graciously assigned to individuals, and "no man

⁴⁵Shamin Meer, ed., Women, Land and Authority - Perspective from South Africa, Pretoria: David Phillip Publishers, 1997, 1.

can hold it as his own; he has no power to sell it or negotiate with it.”⁴⁶

It is also believed that under the customary system only married men may get land allocation from the tribal chief. Under special circumstances land would be available to single men, widows, or single women with children. Thorp also asserts that it is a general belief in the region that a woman alone cannot own a land, Thorp holds, however, that when a woman with adult or married sons loses the husband, she may have provisional control on the land with a certain degree of input from the son. To be precise, there is no uniform legal structure to land ownership and access in South Africa. Land tenure varies from one locality or ethnic region to the other. Invariably, this variation certainly has negative outcome for land reforms in the country.⁴⁷

Janet Small’s study investigates women’s land rights in the Northern Transvaal. She admits that marital status determines access to land for both men and women; however, for women, land rights are always dependent on their relationship to the men, especially since land grants are generally given to households, in other words, to its head, the husband. Also, unmarried women seldom have land or even homes of their own since customarily they are not eligible for land grants. This custom shows one of the various customary laws that regulate land access in the regions of Southern Africa, giving insightful analysis and assessments to issues and customs that guide land access for

⁴⁶Lisa Thorp, “Access to land: a rural perspective on tradition and resources,” in Shamin Meer, *Ibid.*,36.

⁴⁷*Ibid.*, 38

women.⁴⁸

Christopher Leo's account of land and class formation in Kenya reveals that land inequality was the essence of conflicts and revolutions, as the case indicated in Kenya. He discussed the Mau Mau popularly referred to as the land freedom army. He explains the linkage between land and freedom which became the idea for which the Mau Mau forest fighters gave their lives. In Leo's assessment, the colonial system inflicted double blows to Africans who were relatively poor to begin with, and who were less able than others to adapt to the changes brought about by British rule. This led to the loss of land rights by the indigenous people in Kenya, and it also promoted the development of an economy in which landless Africans became the most helpless and exploited group. This land inequality explains the pains and realities of landlessness in both Zimbabwe and South Africa, and the calls by natives in both countries for a meaningful land reform.⁴⁹

Azter Akalu, describes the process of Rural Land Nationalization Law of 1975 in Ethiopia. According to Akalu, on March 4, 1975, all rural land in Ethiopia was nationalized by the Provisional Military Government. The law provided that all rural lands be made public, that no compensation would be paid and that no rural land can be held in private ownership, that no one can sell, mortgage, lease or give away land. The

⁴⁸Janet Small, "Women's land rights: a case study from the Northern Transvaal," in Shamin Meer, *Ibid.*, 46-47.

⁴⁹Christopher Leo, Land and class in Kenya, Toronto: University of Toronto Press, 1984, 25.

law gives only possessory rights over the land a family farms under the condition that the farmer lives on the land, and it can only pass the land to one of his children when he dies. The rationale is to prevent land from being divided and redivided amongst relatives -- a division, which may create tenancy since individuals may lose their lands by means of private arrangement.⁵⁰

In departure from recent land reform programs, especially in Africa, the Nationalization Law in Ethiopia lends itself to the Marxist concept of collective or communal farming, refraining from establishing property rights. The law also provides that no compensation can be paid for rural lands nationalization. It was believed that no individual or group has the right to what belongs to all -- this theory of nationalization is based on the understanding that land, previously, was possessed by the landed aristocracy by force and confiscation. The government explained that to compensate the landlords for their unjust ownership of land and exploitation of the people would have meant compensating the past wrongs, and more importantly, would have constituted an economic problem for the whole country.⁵¹

Essy Letsoalo's discussion centered on land reform in South Africa, reflecting on land reform as a remedy for many impediments in rural and agricultural development. Letsoalo argues that anti-land reform masquerading as land reform has been used by

⁵⁰Aster Akalu, The Process of Land Nationalization in Ethiopia - Land Nationalization and the Peasant, Sweden: CWK Gleerup, 1982, 69.

⁵¹Ibid., 69-70.

whites to create a black labor reservoir for the nation's capitalist economy. She predicted that not only was there a white-black inequality in the past, but that new patterns have emerged in black - black inequality on the distribution of land.⁵²

In the study, Letsoalo affirmed that apartheid in South Africa is fundamentally tied to issues of land and land reform, which is derived from the class dynamics of South Africa's changing economy. She argues that land tenure involves the relationship of the many diverse social groups and rural people; for blacks, land tenure includes the question of lease, poverty, inheritance, accessibility, land use, and the issues of race and social class. In her opinion, land determines the right of access to key factors of production in an agrarian economy, in other words, it influences both the macro economy and the distribution of income among the inhabitants.

In practical terms, land essentially makes the case for the imbalance in the economic prosperity of the whites in both Zimbabwe and South Africa, and the poverty, social oppression, and inequity that have overwhelmed the black Southern Africans. Land reform in Zimbabwe and South Africa has become the optimum policy issue to reverse the detrimental social mobility of blacks and other social groups in both countries.

Sam Moyo, in his study of economic nationalization and land reform in Zimbabwe, reviews the current state of political action and economic liberalization on

⁵²Essy M. Letsoalo, Land Reform in South Africa: A Black Perspective, Johannesburg: Skotaville Publishers, 1987, Introduction.

land redistribution in the country. He wrote that since 1993, President Mugabe's administration has emphasized the important role that land plays in reconciling blacks and whites in order to resolve the land question, which must provide land rights for the majority, and guarantees the rural poor the basic means for existence. Mugabe's government also acknowledge that there is a central role that the state, as a sovereign entity must play in land reform. Moyo argues that the government's land redistribution program must then be an anchor that facilitates the rights of landowners and the needs and demands of the "voiceless" rural majority.⁵³

According to Moyo, after years of inadequate redress of Zimbabwe's land problem, the government finally established an appropriate legislative and administrative machinery to pursue a credible land redistribution program. Moyo argues that few black farmers, small or large, have had access to such economic support that benefitted large scale farmers. He indicated that black resettlement areas did not receive generous financial resources from government, and this inadequate funding support leads to black farmers relatively weaker output performance at the expense of government consideration for large white farmers.⁵⁴

For Mayo, there is logic and economic sense in the land acquisition program. He affirmed that black output in resettlement areas have not been disastrous as claimed by

⁵³Sam Moyo, Economic Nationalization and Land Reform in Zimbabwe, Harare:Sapes Books, 1994, 4-5.

⁵⁴Ibid., 16.

many and that output can be better improved when small farmers gain access to financial resources, equitable access to input market, and expertise. He concurs that the fundamental economic issue is to broaden the income base of Zimbabwe through an expanded farming structure based on increased access to land. According to Moyo, the government must define the macro-economic objectives that will be enhanced by land reform. He reveals that clarification is necessary to assure the role that land reform will be expected to play in “employment development, domestic output growth and export growth, as well as in promoting social and regional equity in agricultural production.”⁵⁵

Marongwe in his study of land reform in Zimbabwe and the Southern African region stressed major issues associated with the land problems in Southern Africa. He admits that as long as the economies of countries in Southern Africa are land based and dependent on agriculture, land will remain a fundamental issue for the development and prosperity of the region. In Malawi, Mozambique, Swaziland and Tanzania, he estimated that over 80 percent of the population are dependent on agriculture for their livelihood. In Angola, Botswana and Zimbabwe, the numbers of those dependent on agriculture are above 70 percent of the total population. He argues that with the slow rate at which industrialization is taking place in the region, land will continue to be the chief source of income in these countries. He explains further that land reform programs have been in the forefront of economic policies in these countries since they attained

⁵⁵Ibid., 23.

independence, but the land problems still remains pervasive in the whole region.⁵⁶

Due to the slow pace of land reform programs in the region, the people without land are increasing: landlessness has continued to grow, and land based conflicts continued to escalate. These conflicts continue to manifest themselves in different ways, as conflicts in some countries appears active, and sometimes violent in others as in Kwazulu Natal in South Africa and in Zimbabwe. Marongwe concludes however, that land based conflicts are more pronounced in South Africa, Zimbabwe, Malawi and Namibia.⁵⁷

To avoid land based conflicts, Hans Binswanger and Klaus Deininger, emphasized that both Zimbabwe and South Africa, needs rapid and massive redistribution of land to black and colored groups, which would involve substantial resettlement from the homelands or reservations onto land now in the commercial sector. Otherwise, both countries may face decades of peasant insurrection, possibly civil war, combined with capital flight and economic decline. He contends that converting commercial sector farms to small or medium sized part-time or full-time farms is the cheapest and fastest way to generate productive employment, with farm and nonfarm, required on massive scale. This will lead to more intensive land use and higher production, and both the reallocation of land and increased employment will reduce the

⁵⁶Marongwe, "Land Reforms in Zimbabwe and South African Region: Issues and Perspectives," 1.

⁵⁷Ibid., 3.

extraordinary current tensions.⁵⁸

To avoid land conflicts, and to promote land reform and its formalization, Zimbabwe and South Africa embarked on processes of property formalization, legislative reform, land tax reform and land market reform designed to address the fundamental challenge of inequality of ownership such as land redistribution.⁵⁹ In South Africa, land and agrarian reform policy is currently being developed as a top-down exercise and is increasingly informed by a neo-liberal macroeconomic policy orientation. This elite driven transition is contrasted with a proposed popular program of radical transformation. Some critics contends that incorporating indigenous local knowledge already at work in poor rural areas into development of land and agrarian reform policies is essential for truly democratic social and economic transformation.⁶⁰ However, in Zimbabwe and South Africa, the economic transformation has been hijacked by the structural adjustment program(SAP). SAP has been detrimental to the land reform policy and it is driving a wedge between the people and government, it has hijacked the goals of liberation and reversed the social advances made following independence in

⁵⁸Hans P. Binswanger and Klaus Deininger, "South African Land Policy: The Legacy of History and Current Options," The Journal of African Policy Studies, Vol.1, No.1, 1995. 103 -104.

⁵⁹Peter Dale and John Mclaughlin, Land Administration, New York: Oxford University Press, 1999, 26-33.

⁶⁰Richard Levin, and Daniel Weiner, eds. "No More Tears..." Struggles For Land in Mpumalanga, South Africa, New Jersey: Africa World press, Inc., 1997, 92-94.

Zimbabwe, while grinding economic progress to a halt in South Africa. In both countries, SAP has hindered progress on the land reform policy.⁶¹

In many developing countries today, far-reaching macroeconomic reforms have removed distortionary policies, the ideological divide has narrowed or replaced with the need to address structural issues and this has greatly increased the demand for policy advice. Presently, there are four general principles underlying key thoughts on land policy issues. First, is the desirability of owner-operated family farms on both efficiency and equity grounds. Second, is the importance of secure property rights to land in eliciting effort and investment and in providing the basis for land transactions. Third, is the need for a policy and regulatory environment that promotes transfers to more efficient land uses. Fourth is the positive impact of egalitarian asset distribution and the scope for redistributive land reform where nonmarket forces have led to a highly dualistic ownership and operational distribution of land, that is, a distribution characterized by very large and very small holdings.⁶²

To attain equity and efficiency benefits in land use, a new mechanism was provided to enhance redistribution of assets. A 'negotiated land reform' that relies on voluntary land transfers based on negotiation between buyers and sellers, where the

⁶¹Kevin Danaher, and Muhammad Yunus, 50 Years is Enough: The Case Against The World Bank and the International Monetary Fund, Boston: South End Press, 1994, 92.

⁶²Klaus Deininger and Hans Binswanger, "The Evolution of the World Bank's Land Policy: Principles, Experience, and Future Challenges." The World Bank Research Observer, 14:2, August 1999, 247-248.

government's role is restricted to establishing the necessary framework and making available a land purchase grant to eligible beneficiaries, such a model is now being practiced in South Africa.⁶³ Also, the property rights feature is emphasised in the process of land reform to assign the rights to and rewards from resource use to individuals, thereby providing incentives to invest in resources and use them efficiently. Given the high cost of supervising wage labor, simply allocating land rights to owner operators would generally increase the efficiency of agricultural production.⁶⁴ In Zimbabwe, integration of land redistribution into a land policy framework that guarantees existing property rights and aims to increase tenure security for residents of communal areas has emerged as an issue of critical importance in the 1998 National Land Policy Framework.

In conclusion of this section, the scholarly information generated from various studies and books will serve as an important guide on land reform issues. The sets of data and information collected will help to guide the research work. The findings from the study will shed light on events that surrounds the land reform policy in both Zimbabwe and South Africa. It is the intention of this study to contribute a scholarly work in the already existing literatures by using comparative studies to analyze recent trends of land reform policy on the political economy of Zimbabwe and South Africa. In fact, this study will use substantial literatures to compare similarities and significant

⁶³Klaus Deininger, "Making Negotiated Land Reform Work: Initial Experience From Columbia, Brazil, and South Africa." World Development, 27:4, 1999, 651-652.

⁶⁴Hans Bnswanger and Klaus Deininger, "Explaining Agricultural and Agrarian Policies in Developing Countries," Journal of Economic Literature, 35, December 1997, 1965.

differences in land reform achievements and its relative impact on race and social mobility.

THEORETICAL FRAMEWORK

A nation's economic and political structure has a profound influence on its material well-being, the individual rights of its citizens, and its relations with other countries. It must make decisions as to how its economic activity will be coordinated - by the markets or by the plan, such as laissez faire or rigid central economic planning. A nation also has to make major distinction and choice on who owns the means of production; specifically, are they to be privately owned by individuals or to be publicly owned by the state? Or how do you best combine these choices? On the political front, a major decision also has to be made on what type of political structure the nation must pursue - a democratic or an authoritarian system of government. In Zimbabwe and South Africa, there are no exceptions. Thus, to conduct a study on land reform policy in both countries, major theories on liberalism, capitalism and socialism will guide and inform this research project.

Liberal and capitalist theories enables the understanding of the nature of land reform policy, the model which South Africa and Zimbabwe were persuaded to adopt by the colonial and external actors. On the other hand, socialist theory helps to understand the inadequacies of capitalism given the conditions that exist in South Africa and

Zimbabwe. It allows the study to probe the role that the state must play in Zimbabwe and South Africa.

Several issues have emerged in land reforms which underlie the general significance of national political economy. Adam Smith in his theoretical dialogue provides the intellectual justification for the profit seeking activities of capitalist entrepreneurs. Smith's position is that the rural dwellers are really superior to those of the town that land constitutes the greatest, the most important, and the most durable part of the wealth of every extensive country, and that "the labor of farmers and country laborers is certainly more productive than that of merchants, artificers, and manufacturers." In general terms, Smith expressed that "agriculture is of all other arts the most beneficent to society, and whatever tends to retard its improvement is extremely prejudicial to the public interest."⁶⁵ Indeed, his testimony has withstood time, and has vindicated the special interest in land reform which is pertinent to the study of political economy and wealth distribution in Zimbabwe, South Africa and sub-Saharan Africa.

Thus, classical political economy developed in societies which have overwhelming agricultural economies-- such as in Zimbabwe, South Africa and within Africa as a whole. It was a major phenomenon of the nineteenth-century social discourse with notable contributions from two leading scholars, Adam Smith and Karl Marx both of whom have provided the conceptual vision to the linkage of political and

⁶⁵David McNally, Political Economy and the Rise of Capitalism - A Reinterpretation, Berkeley: University of California Press, 1989, 152-154.

economic development. With Smith emerged the notion of capitalist development, while Marx developed a response to capitalism through the Marxist theory on socialism. The doctrines on capitalism and socialism have since become the leading competing theories of the twentieth century, fought within the confines of the cold war ideologies. However, the capitalist system has become the dominant political and economic paradigm at the end of the twentieth century.

The capitalist framework proposes a method of economic organization in which private individuals own the means of production, either directly or indirectly through corporations. On the other hand, socialism dictates a method of economic organization in which the society owns the means of production.⁶⁶ Smith in his laissez-faire economics theory suggests that people should be allowed to do as they please, to pursue their own economic self-interest in the market without the interference of government policies. In his study in *The Wealth of Nations*, he maintains that “the forces of the market are quite powerful, acting as an “invisible hand” guiding production, employment, and prices in ways that benefit society as much as they benefit the self-interested individuals who constitute the market”⁶⁷

The Laissez faire economic policy has led its advocates to maintain that when

⁶⁶William J. Baumol and Alan S. Blinder, *Economics - Principles and Policy*, Washington, D.C.: Harcourt Brace Jovanovich, Publishers, 1985, 838.

⁶⁷Larry Berman and Bruce Murphy, *Approaching Democracy*, New Jersey: Prentice-Hall, Inc., 1999, 569.

the market is left alone, it will adjust itself over time, as a result, the pursuit of individual interests will benefit society as a whole when it results in a healthy economy. The proper role of government in such a system is minimal, serving only to safeguard the framework within which the market operates and to ascertain that individuals are free to pursue their self-interest. In essence, Smith's idea is that "the best government is the least government," and this is based on the assumption of market efficiency.⁶⁸

In Marx's Value Theory,⁶⁹ in response to capitalist economy, he argues that "profits and accumulation are possible only because the value of labor power - the amount of labor needed to produce a worker's daily subsistence - is no more than a fraction of a workday. The remainder of the worker's day goes into the production of surplus value, which can be accumulated by the capitalist." To Marx while land or natural resources contributes to production, it does not necessarily follow that the landlord contributes anything. He maintains that a given output can be produced just as well if the land is publicly owned and there is no landlord to collect income from the production process. Therefore, in Marx's opinion, labor is the only human input that contributes to production.⁷⁰

⁶⁸Ibid.

⁶⁹Baumol, Economics - Principles and Policy, 828-829.

⁷⁰Ibid.

Other leading scholars also contributed to the origins and evolutions of political economy. Some of these works have influenced decision makers in their response to land reform policy in Zimbabwe and South Africa. Earnest Mandel, provided a comprehensive interpretation and summary of developments in political economy from ancient times until now. These works emphasize the conceptual, theoretical, and methodological differences between bourgeois and Marxist political economy.

According to Mandel, political economy originates from petty commodity production, which first emerged in ancient China and Greece. "Once commodity production responds to market and money appears, then fluctuation in prices occur, some producers fall into debt, and primitive communal relations begin to dissolve."⁷¹

The transformation of Europe from a feudal society to a profit-oriented market economy of buyers and sellers witnessed the discovery and conquest of new geographical areas such as in Zimbabwe and South Africa, and this led to new flows of capital to and from the new world. This also led to the rise of monarchs and merchants who promoted nationalism and benefited from foreign trade. This period enhance the new order of Mercantilist undertakings. According to Mandel, The mercantilist orientations focused on reconciling the relationship of labor and land. Leading scholars on mercantilism were William Petty, a British, who wrote on the agricultural origins of surplus value. And Pierre Boisguillebert, a French scholar who emphasized agricultural labor as the only source of value. A new transition occurred from mercantilism to the classical approach

⁷¹Ronald Chilcote, Theories Of Comparative Politics - The Search For A Paradigm Reconsidered, Boulder: Westview Press, 1994, 346-347.

which symbolized the theoretical dialogue of Smith and others.⁷²

There are different opinions among leading scholars on economic liberalism. Thinkers like Dudley North criticized the nationalistic policies of mercantilism and advocated free trade. John Locke, tied labor to private property and wealth, contending that production is the consequence of individual effort to satisfy human needs and that the worker should be able to use or consume his or her own product. David Ricardo, in his Principles of Political Economy and Taxation, advocated the accumulation of capital as the basis for economic expansion. He concluded that restrictions on private investment should be eliminated and that government should not intervene in the economy. Ricardo applied these principles to international political economy, arguing that a division of labor and free trade policies would benefit all nations. He also noted the conflict between the interest of landlords and capitalists, and affirmed that the interests of the landlord were opposed to the community, while the interests of the capitalist were favorable to it.

Thomas Malthus in a theoretical dialogue of population to political economy, argued that population reproduces faster than food production and that unless population growth were checked, the masses would face starvation and death. According to Malthus, government should not aid the poor, for such action drains wealth and income from the higher echelons of society. For Jeremy Bentham in Introduction to the Principles of Morals and Legislation, he viewed man's selfishness as natural and desirable but believed that individual and public interests should coincide. He predicted that government

⁷²Ibid. 348

action was acceptable when it is not in response to the narrow interests of special groups, and that individuals should be allowed freedom within a framework of moral and legal constraint.⁷³

Max Weber in his theoretical dialogue on capitalism development emphasized the relative importance of religion and cultural development.⁷⁴ In his classical work in The Protestant Ethic and the Spirit of Capitalism, Weber argues that the most important opponent with which the spirit of capitalism has to struggle, was the attitude and reaction to new situations which he called traditionalism. He foresees a progressive capitalist orientation that forces an individual within the system of market relationships to conform and be alert to the capitalist rules of actions. It could be inferred that his arguments are both a guide for successful business practices and a presumption of ethical attitudes that evidently superimpose an intuitive capitalist virtues on the individual in their quest for social existence. He argues that capitalist action involves a regular orientation to the achievement of profit through peaceful economic exchange. Capitalism, according to Weber is associated with the rational organization of formally free labor.

Weber, specifies several fundamental socio-economic factors which distinguished and contributed to the emergence of modern capitalism and these factors have continue to play a role in the economic development process of African countries especially in Zimbabwe and South Africa which has embarked on market-led economies. These

⁷³Ibid., 348-350.

⁷⁴Max Weber, The Protestant Ethic and the Spirit of Capitalism, New York: Routledge, 1992, 60-62.

factors are (1) the separation of the productive enterprise from the household, (2) the development of the city as in post-mediaeval Europe, thus setting off bourgeois society from agrarian feudalism, (3) the inherited tradition of law such as the Roman Law which provides a more integrated and developed rationalization of juridical practice, (4) the development of the nation-state, administered by full-time bureaucratic officials, (5) the development of double entry book-keeping which was important for regularizing capitalist enterprise, and (6) the formation of a free mass of wage-laborers, whose livelihood depends upon the sale of labor-power in the market.⁷⁵

In contemporary civil societies, 'market systems' and 'command systems' are organized in accordance with individual national ideology. Markets are meant to solve a fundamental economic problem that most societies face which is to coordinate the economic activities of society's many members.⁷⁶ Who will produce what goods for what people? Modern societies solve this problem in two main ways, by a command system or by a market system.⁷⁷

In a command system, a single authority makes the decisions about what is to be produced, who will produce it, and who will get it. The authority then communicates these decisions to the members of the system in the form of enforceable commands or

⁷⁵Ibid., 13-31.

⁷⁶Robert Hellibroner, The Economic Problem, New Jersey: Prentice Hall Inc., 1972, 14-28.

⁷⁷Charles Lindblom, Politics and Markets, New York: Basic Books Inc., Publishers, 1977, 20-33.

directives, and transfers between the members take place in accordance with the directives. China, North Korea and Cuba, are among the most notable nations with central planning systems at the end of the 20th century.⁷⁸

The modern alternative to command system is the free market. Within a free market system, individual firms which is privately owned and with desire to make profit, are left to make their own decisions about what they intend to produce and how they will produce it. Each firm then exchanges its goods with other firms and with consumers at the most advantageous prices it can get. Price levels serve to coordinate production by encouraging investment in highly profitable industries and discouraging it in unprofitable ones. Free market systems, in theory, are based on private property and voluntary exchange system.⁷⁹ When a society employ a market system, it must maintain a system of property laws such as contract law, that will assign to private individuals the right to make decisions about the firms and commodities they own, and they reassigns their rights when individuals exchange their goods with each other. John Locke explains this further in his *Two Treaties of Government*:

Every man has a property in his own person: this nobody has a right to but himself. The labor of his body, and the work of his hand, we may say, are properly his. whatsoever then he removes out of the state that nature has provided and left it in, he has mixed his labor with, and joined to it something

⁷⁸George Dalton, *Economic Systems and Society: Capitalism, Communism, and the Third World*, New York: Penguin Books, 1974, 120-25.

⁷⁹Milton Friedman, *Capitalism and Freedom*, Chicago: The University of Chicago Press, 1962, 13-15

that is his own, and thereby makes it his property.⁸⁰

Karl Marx disagrees with the notion of markets, he explains in his criticism that capitalist societies alienate human beings from each other by separating them into antagonistic and unequal social classes. He maintains that capitalism divides humanity into a proletariat laboring class and a bourgeois class of owners and employers.

According to Marx, "society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other: bourgeoisie and proletariat."⁸¹

Consistent with the unequal economic paradigm prevalent in both Zimbabwe and South Africa, Marx argues that capitalist ownership and unregulated markets produce inequalities of wealth and power - a bourgeois class of owners who own the means of production and who accumulate greater amounts of capital; and a proletariat class of workers who must sell their labor to at least survive and who are alienated from what they produce, from their work, from their own human needs, and from their beings. He maintains that although private property and free markets may secure the freedom of the wealthy owner class, they do so by creating an alienated laboring class.⁸²

Liberalism as a theory, has a tendency to favor change, possess faith in human

⁸⁰Manuel Velasquez, Business Ethics- Concepts and Cases, New Jersey: Prentice Hall, Inc., 1982, 113-114.

⁸¹Karl Marx and Friedrich Engels, Manifesto of the Communist Party, New York: International Publishers, 1948, 9.

⁸²Ibid., 9-10.

reasoning, willing to use government to improve the human condition, favor individual freedom but uncertain about economic freedom and it is ambivalent regarding human nature. Liberalism in the eighteenth and nineteenth century originally espoused freedom of the individual from interference by the state, laissez-faire economic policies, and a belief in natural rights that exist independently of government. In opposition to liberalism is conservatism, which characterized resistance to change, reverence for tradition and a distrust of human reason, rejection of the use of government to improve the human condition - ambivalence regarding government activity, favor individual freedom but willing to limit freedom to maintain traditional values and antiegalitarian - distrust of human nature. In essence, conservatism is an attitude of opposition to drastic change.⁸³

In recent decades, liberalism has come to stand for the advocacy of government programs for the welfare of individuals, because without such welfare state advantages the masses have little chance to enjoy the traditional freedoms long espoused by the political theorists. This has led many economists to advocate retention of market systems and private ownership but modification of their workings through government regulation so as to rid them of their most obvious defects. The result of government regulation, partial free markets, and limited property rights is currently referred to as the mixed economy.⁸⁴

⁸³Lyman Tower Sargent, Contemporary Political Ideologies - A Comparative Analysis, Illinois: The Dorsey Press, 1984, 67-71.

⁸⁴Paul Samuelson, Economics, New York: McGraw-Hill Book Company, 1973, 845.

Mixed economy retains a market and private property system but relies on government policies to remedy their deficiencies. Government transfer of private income are used to get rid of the worst aspects of inequality by drawing money from the wealthy in the form of income taxes and distributing it to the disadvantaged in the form of welfare. Government monetary and fiscal policies attempt to ensure full employment. Also, government regulatory agencies police firms to ensure they do not engage in socially harmful behavior.⁸⁵

The real purpose of government, according to Marx, is that of protecting the interests of the ruling economic class. Although there is a popular belief that government exists to protect freedom and equality, in truth, such beliefs are ideological myths which hide the reality of the control the wealthiest class exercises over the political process. To validate his claim, Marx contend that every society, can be analyzed in terms of its two main components: its economic substructure, and its social superstructure.⁸⁶

The economic substructure of a society consists of the materials and social controls that society uses to produce its economic goods such as land, labor, natural resources, machinery, energy, and technology. These materials used in production, Marx referred to as the “forces of production.” The social superstructure, consists of its government and its popular ideologies. According to Marx, the ruling class created by the economic substructure will inevitably control this superstructure. In other words, the members of the ruling class will control the government and ensure that it uses forces to

⁸⁵Velasquez, Business Ethics-Concepts and Cases, 131-132

⁸⁶Ibid.; 119.

protect their privileged position; and they will popularize those ideologies that justify their position of privilege. In Zimbabwe and South Africa, apartheid policies were the ideological tools used by the white minority governments in both countries for social and political control.

In conceptualizing political system, it is pertinent to think of "The Political" as any relations that involve legitimate power, conflict management and regularization of social conduct. According to Harry Eckstein, one can think of "politics" as the "functions and activities of such a concrete domain: that of the heads of societies, the princes, chiefs, or kings (for in its modern sense, politics is associated with government, and government and social headship are synonymous)."⁸⁷ Modern democracies in Eckstein's opinion, simply are the "gentler twins of totalitarian rule, mitigated by open competition, free communications, and a sense of rights and liberties - which, compared to earlier times, no longer really divides the public from the private, but is a sense of political decency."⁸⁸

The principles of democracy emphasizes citizen involvement in political decision making, some degree of equality among citizens, some degree of liberty or freedom granted to or retained by citizens, a system of representation and an electoral system with a majority rule.⁸⁹ Democratization in the 20th century is characterized by Samuel

⁸⁷Harry Eckstein, "The Idea of Political Development: From Dignity to Efficiency," World Politics, July 1982, 451-486.

⁸⁸Ibid.

⁸⁹Sargent, Contemporary Political Ideologies - A Cooperative Analysis , 32-33.

Huntington as the latest in a series of notable shifts from authoritarian systems of government to a public friendly, democratic style of government, which involves the masses in the decision making process. These notable shifts, he termed democratic waves, and are defined as clusters of events which yield liberalization, and in many cases leads to full blown democracy.

In Zimbabwe and South Africa opposition revolts forced the change of governments from white minority governments to black majority democratic governments. According to Huntington, in these transition processes, transformation and transplacement postering becomes significant tools of negotiating among different groups. In transformations, those in power take the lead and play the decisive role in ending the regime by changing it into a democratic system. In replacements, as was the case in Zimbabwe and South Africa, democratization consequently results from the opposition gaining strength and the government losing strength until the government collapses or is overthrown.⁹⁰ However, in transplacements, democratization is produced by the combined actions of government and opposition, “since the dominant groups in both government and opposition recognized that they were incapable of unilaterally determining the nature of the future political system in their society.”⁹¹

Other major political systems, which are directly opposite to democratic system are the authoritarian and totalitarian systems. The authoritarian system is a rule by an

⁹⁰Samuel Huntington, The Third wave-Democratization In The Late Twentieth Century, Norman: University of Oklahoma press, 1991, 142.

⁹¹Ibid., 152.

individual whose claim to sole power is supported by subordinates who sustain control of the system by carrying out the ruler's orders and by a public that is unwilling or unable to rebel against that control.⁹² The totalitarian system differs from the authoritarian system only in that it may have a specific ideology that rationalizes it, such may be the case of the white minority governments in Zimbabwe and South Africa, with the application of specific ideologies, such as "racial apartheid" or "land ownership apart-ness."

Stanley Greenberg analyses the development of capitalism in agrarian cultures such as in the continent of Africa. He notes that racial tension is prevalent in non-industrial societies as much as in those societies that have gone through periods of modernization. His concern is what constitutes the state's role in developing distinctions and boundaries between race and class in a developing capitalist society. He wrote "what is striking for my purposes is the association of internal colonialization with racial or cultural domination... Worldwide patterns of white European hegemony were imposed within national borders, creating in the process, racial colonies. People of color became ethnic minorities en bloc, collectively, through conquest, slavery, annexation, or a racial policy."⁹³ This enabled the process of uneven development in Zimbabwe, South Africa and among most of the Southern African countries.

To reinforce his argument, Greenberg emphasized the role of increasing

⁹²Guillermo O'Donnell, "Tensions in the Bureaucratic-Authoritarian State and the Question of Democracy," in Roy Macridis and Bernard Brown, Comparative Politics - Notes and Readings, Illinois: The Dorsey Press, 1986, 178-180.

⁹³Stanley Greenberg, Race and State in Capitalist Development: Comparative Perspectives, New Haven: Yale University Press, 1980, 21.

commercialization of labor and the development of racial barriers as a result of development. His work focused on Alabama and South Africa where racial conflict transcended pre-capitalist era and the capitalist era. His studies show how the development of the market economy and European settlement brought about the problem of land and labor. In both cases the issue was dealt with in racial terms, especially in South Africa, where racial domination for the sake of production endured for over a century. Greenberg affirmed that the farmers seeking cheap labor was the cause of racial domination. As a result, "the sons and daughters born to sturdy Hollanders and Huguenots learned to look upon the labor of the field and upon all hard physical toil as the functions of a servile race,"⁹⁴ and led them to believe deeply in color inferiority, a result of apartheid policies.

Greenberg also emphasized that modernization, nation building, and capitalist development conventionally bring the elaboration and growth of the state machinery, the formation of armies, regulation of police forces, the growth of bureaucracies and government staffs, and the ascendancy of tax collectors. He argues that the state is the glue that held the repressive society together.⁹⁵

Weber also attests to the fact that every state is founded on force, he maintains that modern states are a human community that successfully claims the monopoly of the

⁹⁴Ibid., 75.

⁹⁵Ibid., 387.

legitimate use of physical force. Hence, “politics for us means striving to share power or striving to influence the distribution of power, either among states or among groups within a state.”⁹⁶ In essence, the state is a relation of men dominating men, a relation supported by means of legitimate violence. If the state is to exist, the dominated must obey the authority claimed by the powers that be.⁹⁷

Joshua Forrest in his comparative analysis study promoted understanding of political systems in post-colonial Africa. He emphasized the comparative dynamics of nation-building in independent Africa and other states in formation. He highlights the impediments of nation-building seen all over Africa, including Zimbabwe and South Africa. Forrest reveals that African political systems revolves around competing factions of political elites, which enhance unbridled competition among competing factions of political elites. These elites were joined by personalistic, kin-based, ethnic, class, clientelist or regional ties. This system has led to inadequate administrative capacity to achieve official goals, caused societal barriers to political penetration and informal politics, and has resulted in unbounded power struggles, personal ties and personal rule. These barriers have resulted in the lack of viable political system for the state, and this is the current state of affairs in Congo and Sierra-leone.⁹⁸

⁹⁶Max Weber, “What is a State?” in Peter Smith, ed. Latin America in Comparative Perspective: New Approaches to Methods and Analysis, Boulder: Westview Press, 1995, 38.

⁹⁷Ibid.,39.

⁹⁸Joshua Forrest, “Weak States in Post-Colonial Africa and Mediaeval Europe,” in Mattei Dogan and Ali Kazancigil, eds., Comparing Nations: Concepts, Strategies,

Forrest maintains that organization fragility and the lack of skilled workers are the cause of this problem. He argues that the size and scope of official responsibility of African bureaucracies have significantly increased since independence and the number of personnel and administrative agencies have doubled in many countries. However, government institutions across the continent remain beset by organizational fragility and poorly trained bureaucrats, and are constrained by inadequate linkages with the elites of society and by fiscal limitations. Inadvertently, these are the symptoms which affects the land reform policy process in Zimbabwe and South Africa.⁹⁹

To demonstrate the importance of state strength in combating structured fragility, Evelyne Huber stresses that a state's strength is the capacity to achieve the goals set by incumbents in executive positions. She placed goal- setting functions in the hands of elected, appointed, or self-appointed presidents, prime ministers, and cabinets. She maintains that incumbents goals are to reflect demands and interests of civil society. To demonstrate strength, the state must be able to achieve four goals: (1) enforcement of the rule of law throughout the state's entire territory and population (legal order); (2) promotion of economic growth (accumulation); (3) elicitation of voluntary compliance from the population over which the state claims control (legitimation);

Substance, Cambridge: Blackwell printers, 1994, 260-262.

⁹⁹Ibid., 263-264.

and (4) shaping of the allocation of societal resources (distribution).¹⁰⁰

The prototype of a strong state is a developmental state, a state capable of stimulating industrial transformation as a basis for sustained accumulation in a developing economy, which is at the same time capable of shaping distribution in a less-inegalitarian direction. According to Huber, a strong state needs an administrative apparatus that functions, and a key to the efficient functioning of state institutions is the quality of personnel, the clarity of definitions of tasks and domains of authority, and the quality of infrastructure and equipment. To accomplish these goals, an efficient bureaucracy requires application of merit criteria for appointment and promotion as opposed to a personal or political clientelistic criteria.¹⁰¹

The state strength is shaped in interaction with civil society, the economy, and the international system. This same measurement stands in place in Zimbabwe and South Africa. Civil society constitutes the domain of associations that are engaged with the state in cooperative or adversarial relations over nominally public issues.¹⁰² It is also the totality of social institutions and associations, both formal and informal, that are not strictly production-related nor governmental or familial in character. Political parties in

¹⁰⁰Evelyne Huber, "Assessments of State Strength," in Mattei Dogan and Ali Kazancil, Comparing Nations. Concepts. Strategies. Substance. Ibid., 165-167.

¹⁰¹Ibid., 168-170.

¹⁰²Peter Lewis, "Civil Society, Political Society, and Democratic Failure in Nigeria," in Marina Ottaway, ed. Democracy in Africa: The Hard Road Ahead. Boulder: Lynne Rienner Publishers, 1997, 137.

democracies are part of civil society; they provide the political articulation of the interests of other social institutions and associations.¹⁰³ Also, political society - which includes party organization, politicians, and political professionals, may serve crucial functions in bridging disparate societal concerns and the prerogatives of government, while providing interest aggregation, mediation and representation to strengthen the government.¹⁰⁴

The state interactive posture in the international system is important, especially in the quest for economic integration and political alignment among states. According to Huber, "the aspect that privileges the state over civil society in many respects is the state's position as interlocutor between the domestic economy and population on the one hand and the world economy and other states on the the other hand."¹⁰⁵ Recognition by other states and participation with other states in international bodies provides legitimacy to the state and the incumbents in executive positions. As a result, most states can count on some international support in their efforts to protect the legal order, such as sharing intelligence information on matters of mutual benefit. In these ways, the state is strengthened by its relationships to the international system of states. Also, public and private actors, such as transnational corporations, banks and international financial

¹⁰³Huber, "Assessments of State Strength."168-170.

¹⁰⁴Lewis, "Civil Society, Political Society, and Democratic Failure in Nigeria," 137.

¹⁰⁵Huber, "Assessments of State Strengths," 183.

institutions can provide essential support to states for economic development priorities if their goals are mutual.¹⁰⁶

These theoretical models serves as a useful analytical tool in understanding this study. The research facilitates the testing of theories of political economy, political development, economic policy formation, states power and national interest, and foreign and domestic politics as they apply to the land reform policies in Zimbabwe and South Africa. The theories will also help and add to understading the political and economic policy interplay of different variables and how they affect the contemporary policy climate of land reform process in the international economic system.

Also, the actions of international actors will help to explain the activities and roles of developping nations, as they evolve within the world state's system. These theories will help explain how international pressures affects domestic economic policy outputs. The theoretical models in the study are also used to link political economy to the realization of upward social mobility, in terms of political development, economic progress and social eqity - leading to racial harmony in Zimbabwe and South Africa.

RESEARCH METHODOLOGY

The study used comparative historical analysis to conduct this research. The two research methods allowed the study to analyze public policy issues associated

¹⁰⁶Ibid., 183-184.

with the economic, social and political paradigms that affects land reform policies in Zimbabwe and South Africa. These methods also helped to show the problems and benefits of land reform in the Sub-Saharan regions as the continent promotes development policies in the new century.

The research was conducted through field studies in Zimbabwe and South Africa. Primary and secondary sources of information were used to generate pertinent data for the completion of this study. On the field, the author visited pertinent lands and reserves, observed, interviewed, and analysed relevant datas in the Gauteng and Northwest provinces in South Africa. In Zimbabwe, agricultural areas and home lands in Mashonaland and Monicaland provinces were also visited for the study.

Interviews were conducted with people who are involved in land reforms. These included selected government officials responsible for land rreforms policy, farm owners, and farm workers, in order to provide additional insights into the prospects and problems of land reforms in specific areas in South Africa and in Zimbabwe. In South Africa, the specific areas visited were Pretoria, Johannesburg and Soweto. In Zimbabwe, the specific areas visited were Harare, Mutare and Seki.

Also, documentary information was used to further research relevant official government public policy statements and actions. Correspondence and interviews with public policy technocrats and citizens in Zimbabwe and South Africa were conducted; included in such interviews were officials at the World Bank, International Monetary Fund and United States Agency for International Development in the

Washington, DC area. The study also relied on secondary information from professional journals, magazines, newspapers, internet, televised interviews, area libraries, and the Library of Congress.

SIGNIFICANCE OF THE STUDY

Land reform policy in South Africa and Zimbabwe is unique in character, considering the level of racial inequalities associated with land possession. For these countries, they have won an end to political apartheid, however, they need to overcome economic apartheid.

The situation in both countries provides thought provoking questions on how to balance the need for social justice and equity and the need for constant foreign exchange earning, that agricultural trade facilitates. This study is unique in that it focuses attention on the fragile institutional capacity, inadequate administrative structures, and the internal and external factors that affects land reform policy decisions. The argument in this study emphasize the need for a well structured land reforms in both countries. In Zimbabwe, as in South Africa, the governments have chosen both the social equity and economic development concepts as the means to achieve the land reform policy goals; however, both concepts have their social cost.

This study becomes a new millennium update on the literature of Zimbabwe and South Africa, with descriptive analysis of recent events in Zimbabwe that have

shaped the land reform policy implementation beginning in January 2000. In view of the current social and economic crisis that is pervasive in both countries, the study draws attention to the need for economic recovery through land reforms and human development. Realistically, can Zimbabwe and South Africa uphold the moral high grounds by setting stringent rules on land reform that can attain equitable land redistribution in their respective countries? or rather, must they bow to economic pressures, and, thereby, forsake the soul of the majority? Looking at land reform activities in Zimbabwe within the last 20 years is contributory to knowledge, and, it provides a resourceful guide on the future of land reform in South Africa.

The study of land reform in both countries sets an appropriate research inquiry on the odds that sub-Saharan African countries face as they move into the new millennium, especially in a global economy. This study underscores publicly controlled change in the existing character of land ownership, its attempts at diffusion of wealth, and its income or productive capacity which on the long-run would reduce unequal wealth distribution in Africa. Land reform is simply a corrective measure to disparities in wealth, which handicaps progress and creates bottleneck to development. This study will create an awareness about land reform as it searches to remove barriers to economic development in South Africa, Zimbabwe, and within sub-Saharan Africa.

The study represents a more comprehensive inquiry into the positive and negative effects of land reform in South Africa and Zimbabwe; it will incorporate both theoretical as well as empirical facts on land reform in both countries. The study is

based on a sub-Saharan Africa perspective which many of the current literatures on land reform lacks. It would be a source of review on public policy approach and developmental administration within the developing world perspective as it lays foundation for rural and agricultural development in both countries. The study highlights the benefits of land reform and showcase its importance to development.

The study also modifies Adam Smith's theory by concluding that the capitalist framework of laissez-faire economics is not fully compactible to Zimbabwe, South Africa and Africa as a whole. The market economy cannot be efficient for economic development and land reform policies in the region. Thus, Karl Marx theory on command system - having the state play major roles in providing corrective measures and policies to narrow the gap between the rich and the poor are inevitable for an egalitarian political and economic outcomes. Therefore, a mixed economy - an economic system that combines both market and state enterprise would be conducive as a developmental paradigm. This will be consistent with the African political economy, and applicable to the land reform process in the region.

ORGANIZATION OF THE STUDY

Chapter One deals with the introductory Section, which consists of the statement of the problem, objective, literature review, theoretical framework, significance of the

study, thesis statement, and methodology. Chapter two examines the pre-independence political economy of land in Zimbabwe and South Africa. It also focus on the general objective of land reform, it reviews the new developments on the land question and the emerging economic development paradigms in both countries since independence.

Chapter Three reviews land events in the Southern Africa region, examines Zimbabwe's land reform policy, the Lancaster Agreement, the constitution and the Land Acquisition Act, the structure of land control and assess; and the country's land tenure system.

Chapter Four discusses South Africa's land reform policy, with in-depth analysis of the post-apartheid periods, the constitutional provisions on land matters, the structure of land control and assess, the land tenure program and reviews the stages of land reform policy formulation. Chapter Five explores and compares Zimbabwe and South Africa's land reform issues and the policy process, the impact of debt and structural adjustment program on land reforms; it will review each country's achievements relative to its stated goals after attaining independence. The focus will be on the land reform goals set by Zimbabwe's African National Union-Patriotic Front (ZANU-PF) and the African National Congress (ANC).

Chapter Six examines the problems and prospects of land reform in Zimbabwe and South Africa. It discusses the roles of internal and external forces in the land reform process, reviews land structure implementation, market and social equity basis of land reform, and the emerging social relations in both countries. The chapter also provides

analyzes of the research findings through project studies, assess the success or failure of land reform in Zimbabwe and South Africa, and provides some guiding principles for the research studies.

Chapter 2

HISTORICAL DEVELOPMENTS OF THE ALLOCATION OF RIGHTS TO LAND AND ITS RELATIONS TO SOCIAL STRUCTURE IN ZIMBABWE AND SOUTH AFRICA.

The evolutionary developments of land holding in southern Africa is traced in order to reveal a pattern of social structures. The ways and means by which the whites used political power to circumvent and marginalize black economic development in the region is reviewed. And accounts of the socio economic paradigms that enhanced the process of political and economic apartheid in Zimbabwe and South Africa are also highlighted, as land became an economic tool for the white commercial farmers in the quest to undermine the social well-being of the black majority in both countries.

To understand issues relative to land reforms in Zimbabwe and South Africa, past events that culminated in the large disparity in land distribution between the whites and blacks are examined. The uneven distribution of land has led to popular demand for land reform in both countries in the interest of social justice, equity and economic development since independence.

PRE - COLONIAL LAND HOLDING PARADIGM IN SOUTHERN AFRICA,

Traditionally, land ownership is not acquired through the market system as it is in the Western culture. In Southern Africa, membership in a tribe is a factor in land acquisition. Land distribution among tribesmen is governed by customary laws and

norms. The norms or regulations in the region are usually not written although they are well known and transmitted between generations.¹

Upon marriage the young man, through his father, headman and the village council asks for land for cultivation and residential purposes from the chief. On giving notice to the chief on land request, the chief's men will accompany the tribesman to the bush and indicate the boundaries of his arable land. This also applies to the residential site. This procedure is also repeated in cases of a polygamous marriage. For every family and marriage, the man is entitled to an arable plot of land.

The size of the arable plot of land was historically not measured since there was no yard stick to measure the plots. In most cases the size of the plot of land given depends on how hard-working the individual that sought the land was. In effect, land was distributed mostly among the tribesmen according to each family's needs and capabilities. Also, the indigenes looked at land as a source of livelihood and this explains why land could not be pledged as security because agriculture is not merely an occupation or a source of income, it is essentially a way of life. Once land is allocated to a tribesman, that person owns the land and can do whatever he wants with the apportioned land relative to production and consumption.²

¹Essy Letsoalo, Land Reform in South Africa - A Black Perspective, Johannesburg: Skotaville Publishers, 1987, 19.

²Ibid., 20 -23.

POLITICAL ECONOMY OF LAND IN ZIMBABWE AND SOUTH AFRICA.

Of all the processes which have brought about the inequitable distribution of power and wealth that characterizes present day Southern Africa, perhaps none has been more decisive and of immediate importance to the black community than the dispossession of land. Africa's agrarian community tend to base their political, economic and social structure on the ownership of land. This has made land dispossession by whites tantamount to systematic destruction of Africans economic base.³

The recurring themes on both Zimbabwe and South Africa's political economy are the legacies of apartheid and the role of the state and of the markets in enhancing socio-economic inequalities synonymous with apartheid. Historically, the state in both countries have intervened extensively in the political, economic and social developments of Zimbabwe and South Africa. The state has directed the flow of goods and resources and the allocation of land ownership rights in the two countries from a racial point of view. In addition, the state has also regulated political and social institutions to enhance the interest of segments of the white population.⁴

Zimbabwe (known as Southern Rhodesia from the early 1890s, and as Rhodesia from (1964 to 1979) is a land - locked island, about the size of California and its territory is three times as large as England with its 150,820 square miles, and 12 million people.

³Michael de Klerk, ed., A Harvest of Discontent - The Land Question in South Africa, Cape Town: Institute For A Democratic Alternative For South Africa, 1992, 1.

⁴Adebayo Adedeji, ed., South Africa and Africa: Within or Apart, New Jersey: Zed Books, 1996, 118 - 120.

Likewise, South Africa has a population of 40 million people, with a size of 1,219,000 square kilometers. Both Zimbabwe and South Africa are well-endowed with minerals such as gold, copper, coal, chromite, cobalt, asbestos, and many others including considerable farming wealth. South Africa is also blessed with a large reserve of diamond mines which has enhanced its prosperity and opened its economy significantly to the world markets.⁵

In Zimbabwe and South Africa, land was the central issue during the liberation struggle and continues to be the most important domestic issue after independence. The appropriation of African land by the European settlers guaranteed white economic dominance and black poverty during the colonial period, and the inequitable distribution of land in both countries is a symbol of the enduring structures of an unequal society. Both country's efforts to address the land question is of great importance because of the peasants' expectations that their long held grievances will be addressed as the new regimes will confiscate and redistribute property formerly held by white farmers. In fact, there was probably no more controversial question at independence than how the government would be able to resist the influence of the white farmers and implement the promises concerning land that it had made during the liberation struggle.⁶

It is generally agreed that restructuring land access and use must be a central component of policy formulation in the post-apartheid South Africa. Infact, questions

⁵Lewis Gann and Thomas Henriksen, The Struggle For Zimbabwe- Battle in the Bush, New York: Praeger Publishers, 1981, xi -xii.

⁶Jeffrey Herbst, State Politics in Zimbabwe, Berkeley: University of California Press, 1990, 37.

were raised regarding land reform experiences in Africa and how they might inform post-apartheid land transformation in the country. In particular, Zimbabwe's experiences of land resettlement planning have become an important element in the debate about South African land reform and policy development. According to leading African scholars, Zimbabwe is an important case study for South Africa. Both countries have similar agrarian history characterized by the dominance of white settler farming and the existence of black labor reserves where access to natural resources is severely constrained as jobs and land crisis remains central to people's daily lives and political consciousness. The two countries also have a history of great social unevenness in access to productive resources and agricultural support services between large and small scale producers.⁷

Important differences between South Africa and Zimbabwe needs to be recognized. For example, the liberation struggle in Zimbabwe was confined to the rural areas, but the pre-independence opposition political organization in South Africa took place mostly in the urban areas and was relatively weak in the countryside. Other important differences are that South Africa's small land holders are more marginalized than those in Zimbabwe. Also, South Africa lacked experience in implementing rural development for rural black people; however, South Africa is more industrialized, with a highly sophisticated infrastructural base.⁸

⁷Calvin Masilela and Daniel Weiner, "Resettlement Planning in Zimbabwe and South Africa's Rural Land Reform Discourse" paper submitted December 1994, at the West Virginia University, P.O. Box 6300, Morgan town, W. Virginia 26506-6300, USA, 23, Unpublished.

⁸*ibid.*, 24

HISTORICAL DEVELOPMENT IN LAND DISPOSSESSION IN ZIMBABWE.

In Zimbabwe, the white farmers are very powerful because they are well organized. Their status as the most powerful and a highly sophisticated political group in Rhodesia can be traced back to the passage of the Farmers Licensing Act and the subsequent establishment of the Rhodesian National Farmers Union (RNFU) in 1942. The political power of the 4000, predominantly white, commercial farmers derives from their economic position and their organization. White farmers (known as large - scale commercial farmers) still dominate the agricultural sector of the economy because they play a key role in the major export sector of the economy. They produce almost all of the country's tobacco, tea, coffee, and sugar. In recent years, these crops accounted for 30 percent of total exports.⁹

From an historical point of view, the most important economic developments emerged in Southern Rhodesia, in the years immediately following the achievement of self-governing status in the area of agriculture. Political and economic domination in the country started with the white settlers' decision to move into farming and this resulted in the forced removal of Africans from rich farm areas to tribal reserves which has poor quality land. By 1910, 23 percent of the fertile land had been reserved for the whites, while 26 percent of the poor land was declared Native Reserves - which became known as Tribal Trust Lands (TTLS). As time progressed, the Land Apportionment Act of 1930 legalized the division of Zimbabwe's land, and it also prohibited members of the two racial groups from owning land in such areas assigned to the other. By the time the Land

⁹Herbst, State Politics in Zimbabwe, 37-39.

Apportionment Act emerged, 51 percent of the total land had been declared for the European settlers, while 30 percent was reserved for the African population.¹⁰

The 'herding' of blacks into overcrowded reserves and open discriminatory policies against black farmers, designed to protect fledgling white farmers from competition, meant that "by the end of the 1930s, the agricultural economy of the Shona and Ndebele, like that of the Kikuyu and most of South African People, had been destroyed."¹¹ In economic terms, since control over land was essential to the whites' achieving economic and political dominance, the colonists' appropriation of the land became the most important African grievance against the white settlers. However, in 1977 the land laws were amended and racial classifications were abolished except for the 47 percent of the land that was reserved for Africans (now known as Communal Lands). Ironically, with only few blacks in position to purchase white farms, the racial division of the land at independence was not significantly different from what it had been a few years before. Especially, since there are considerable inequalities in the quality of the land held by blacks.

At independence, 74 percent of all peasant land was in areas where droughts are frequent and where normal levels of rainfall are inadequate for intensive crop production. Also, in areas where blacks were allowed to own land, 75 percent of the land is isolated in the regions where only crop and livestock production can be conducted. In contrast, the large-scale commercial farm-land is concentrated in good rainfall areas where intensive

¹⁰Ibid., 17

¹¹Ibid.

crop production is possible. The communal lands have an approximate population density of twenty-eight people per square kilometers compared with nine people per square kilometer in formerly white areas. The inadequate distribution of land had doomed many peasants to immense poverty. In 1979, the population of the tribal reserves exceeded their carrying capacity by approximately two million people. This led the Zimbabwe's major commission of inquiry into incomes and prices, the Riddell Commission, to summarize the economic problems caused by the inequitable distribution of land, stressing that "the most fundamental constraint on raising the incomes of families in the peasant sector to a level that will meet their minimum needs is land shortage."¹²

For Zimbabwean people, who has a culture in which land is held collectively and in which it is a cardinal principle that no member of the community should be landless, the appropriation of the land by the whites was more than a severe economic handicap - it was a profound challenge to the very foundation of the country's society. Indeed, the significance of land to the Zimbabwean polity was expressed in the following terms by Herbst:

The single most important duty of the spirit medium is to protect the land. From the grave, from the depths of the forests, from the body of the lion or of their mediums, the mhondoro control in perpetuity the land they conquered during their lives. Under the rule of the whites their land had lost its fertility. Sacred places had been fenced off and ruled out of bounds. The guerrillas offered land as renewed fertility and restored tradition. They offered a Zimbabwe returned to its original and rightful owners.¹³

¹²Ibid., 38-41.

¹³Ibid., 41.

The imagery of dispossession, of loss, of landlessness, of longing for the lost lands were the rhetoric of the Zimbabwe nationalist movement. Despite the importance of the land issue to the people, the Zimbabwe government was severely restricted in its efforts to redistribute land. The Lancaster House Constitution requires that all land acquired by government should be purchased on a 'willing seller - willing buyer' basis, and that owners of any land seized by the government must be compensated in foreign currency. This provision is seen by many analysts as a measure of whites' political strength since the provision severely limits attempts to right the injustices of the colonial era by demanding that the new government pay for land that was forcefully taken from the natives. The provision has also led to the belief that the white farmers and their multinational allies backed by the terms of the Lancaster House Constitution are influencing the land acquisition policy more than the peasants. Thus, the political and economic strength of the white land owners have stagnated the government's land policy since the beginning of independence in 1980.

HISTORICAL DEVELOPMENT IN LAND DISPOSSESSION IN SOUTH AFRICA.

For South Africans, the plight of its rural blacks has roots in the dispossession of black pastoralist and farming communities that emerged from the mid-seventeenth century. White settlers gained ownership of new territory through frontier wars with black local chiefs and kingdoms, and by drawing up spurious treaties and deeds of sale

with terms favoring them. From an historical stand point, British and Dutch settlers needed labor for their farms, plantations and mines which were acquired through forceful occupation of most of the indigenous land. As blacks in South Africa were unwilling to give up their own independent production, needed labor was brought from India, China and West Africa to some areas in South Africa in the early nineteenth century, but the imported labor was not enough to meet the demands of white expansion. As white farmers began to experience shortage of voluntary labor, political means were sought to bind black labor to white farms. In 1894, the British imperialist, Cecil Rhodes pronounced "It must be brought home to them [blacks] that in the future, nine-tenths of them will have to spend their lives in daily labor, in physical work, in manual labor."¹⁴

Blacks were forced to work for European farmers when their land was confiscated and this destroyed their livelihood. The government introduced taxation in order to drive people into the cash economy. As white farmers gained control of almost all the land in South Africa, black farmers began to enter into share-cropping or tenancy arrangements with the white land owners, paying either half their crop or a cash rent in exchange for the right to cultivate a plot of land. In this way, a large number of black peasants were able to remain productive on the land which was once theirs and the land where they had always resided.¹⁵ There were two main types of laborers on the Europeans farms, those who worked for cash and payment in kind, and those who were obliged to work for the white

¹⁴Wendy Davies, "We Cry For Our Land - Farm Workers in South Africa," Oxford: Oxfarm Publishing Co., 1991, 1.

¹⁵Ibid.

landlord for certain periods of time within a year. In South Africa, the blacks were forced to be squatters who provided the much needed labor for the emergent capitalist agricultural sector in the country. For blacks, squatting was the last resort in order to continue the peasant life rather than provide wage labor:

Sharecropping developed and persisted as a necessary compromise between landowners who were lacking capital and labor, and landless Black peasants. Without investing much labor or capital a White landowner would reap the benefits of sharecropper's labor and, for Africans with no alternative access to land, other than that on White-owned farms, sharecropping often proved to be a reasonable and, sometimes, a lucrative tenancy agreement.¹⁶

The nineteenth century gold and diamond discoveries in South Africa gave rise to an expanding capitalist economy, that greatly increased the need for labor in the mines and industries. This led the whites to view sharecropping as giving blacks an opportunity to evade wage labor since the system gave land to blacks rather than to poor whites. With the rise of colonial capitalism, food and raw material needs replaced the demand for labor. With the advent of new machines, mechanization became another source of pressure on black labor as white farmers could use all their lands and reduce labor costs. In view of these developments and government support for industrial economy, various laws were passed to address and curb squatting and labor tenancy. For example, the Agrarian and Squatting Act of 1879 prohibited "idle and disorderly people of any race" from squatting on the Crown land, on Mission land, or in Native locations.¹⁷

¹⁶Letsoalo, Land Reform in South Africa - A Black Perspective, 31.

¹⁷Ibid.

In essence, the racial division of land was given the force of law in the 1913 natives' Land Act, which allocated only seven percent of the land in South Africa to the black population. This was devastating to black farmers because the Act made sharecropping and rent tenancy contracts illegal, also over a million black tenants were forced to leave their homes in search of new landlords who may take them on as new tenants. Thus, the new system introduced by the South African white minority government was to replace cash rents and sharecropping with labor tenancy - under which people were allowed access to agricultural land in return for working half the time for the landowner. This reflected the determination of white farmers to destroy the obvious prosperity of many African peasant farmers. The ideology was that blacks should be servants or employees, not farmers."¹⁸

The land Act signaled the end of black independent farming outside the reserves.¹⁹ A significant feature of this Act was that of the unequal distribution of land between blacks and whites. Also the whites determination to maintain this status-quo was evident during negotiations for the 1936 Land Act, which supplements the 1913 Land Act, as white land owners opposed increasing black land reserves to thirteen percent of the land within South Africa. As it was pointed out:

The European farmers and landholders have refused to part with an acre of land for increased native settlement. They are solidly opposed to any scheme of segregation calculated to provide more land and independence for black men ... These farmers control the Government of the country. The

¹⁸Davies, We cry For Our Land - Farm Workers in South Africa, 3.

¹⁹Ibid, 4

belief of the white farmer is that additional land provided for the native will react detrimentally on their labor market.²⁰

The election victory of the National Party on an 'apartheid' doctrine in 1948 brought about a profound change in South Africa. Immediately after taking over power, the new government established programs designed to further the interests of white nationalists. New discriminatory laws were added to the existing arsenal, several welfare programs were launched to redistribute wealth and uplift the white population, and the bureaucracy and parastatal sector was enlarged in order to generate employment opportunities for whites.²¹

The limited reforms of the 1940s were reversed in favor of the racially repressive and segregationist political and economic institutions which formed the backbone of apartheid. For instance, the pass laws were tightened, and this provided a source for black prison labor on white farms. Other laws passed were the 1950 Population Registration Act, the 1950 Group Areas Act, the 1953 Reservation of Separate Amenities Act and the 1954 Black Resettlement Act. Most of the political legislation was directed towards controlling black labor. Also the 1950 Suppression of communism Act declared the Communist Party an unlawful organization and was used to smash the non-racial and black trade union movement. The 1953 Natives Settlement of Disputes Act banned blacks from registered trade unions, the 1956 Riotous Assemblies Act banned picketing and in the same year, the Industrial Conciliation Act provided for the extension of the job color

²⁰Letsoalo, Land Reform in South Africa: A Black Perspective , 39.

²¹Nicoli Nattrass and Elisabeth Ardington, The Political Economy Of South Africa, Cape Town: Oxford University Press, 1990, 12.

bar to industry.²²

The controls over most spheres of black life by whites in both Zimbabwe and South Africa did not go unchallenged. In both countries, resistant movements and political organizations emerged, leading the cause in Zimbabwe among others was Zimbabwe African National Union - Patriotic Front which later became the governing political party in the country. Likewise, in South Africa, among other resistance movements, the African National Congress emerged as the leading party and have since become the governing political party. Both parties have since dominated the post-independence politics in their respective countries.

LAND POLITICS AND WHITE COMMERCIAL FARMERS IN ZIMBABWE AND SOUTH AFRICA.

Under systematic land dispossession, Africans were forced into changing and fluctuating productive relationships with the land. Zimbabweans and South African blacks moved through land ownership, sharecropping, and labor tenancy to total landlessness. Looking into the trends of events, white commercial farmers had a role in the land problems and uneven development that symbolized the economic and social patterns in the two countries, and within Southern Africa. Land politics was central to the states' offensive against the black peasantry in Zimbabwe and South Africa in the early twentieth century as land was divided between black and white based on racial affiliation.

²²Ibid., 12-13.

The squatters' law, for instance, was instrumental for the encouragement of free labor in South Africa. This law decreed that unless government permission was granted, "not more than five native families' could 'live together on private properties' and that 'such natives' had to be 'inhabitants [i.e. tenants] or hired servants under white persons'."²³ The law was directed at private lands, it sought to destroy peasant links to the earth, and the landowners that clamored for it embraced agrarian capitalism. The conversion of such lands to private property which the Acts achieved was of fundamental importance for two reasons: it aided the enlargement of the agricultural operations of exploiters, and the transformation of peasants into wage laborers.²⁴

The evolutionary patterns of labor tenancy in Southern Africa presents practices and their relation to inherent social conflict in the systems.²⁵ Intensification of land alienation continues into the early 1980s as their was renewed attempt to abolish labor-tenant system. This time the farmers took it upon themselves to eliminate the contractual arrangements by forcing labor tenants into becoming full-time laborers dependent on cash wages. The failure of the unilateral change of the contract by the farmers led them to physically evict labor tenants from the land. Farmers handed out brutal treatment to the tenants in an attempt to break their resistance. A major strategy employed was to de-link employment from access to the land. Labor tenants were forced to pay cash rents for the

²³Jeremy Krikler, Revolution From Above, Rebellion From Below. The Agrarian Transvaal At The Turn Of The Century, New York: Oxford University Press, 1993, 178.

²⁴Ibid., 179-180.

²⁵Richard Levin and Daniel Weider, "No More Tears..." Struggles For Land In Mpumalanga, South Africa, New Jersey: Africa World Press, Inc., 1997, 220-223.

use of land. This meant that tenants either had to engage in full-time employment to be able to pay rentals, or sell their livestock to meet rental obligations. Technically, this was aimed at eroding historical contracts and to terminate labor occupation and land use.

In addition, forestry companies started expanding their activities and began acquiring more land. They bought land off white farmers in areas where tenancy existed. This affected social relationships that had existed for generations on the farms. Labor tenants could not continue farming and rearing live stocks as forestry companies expanded. They were forced to change their patterns of land use. The expansion of forestry meant that labor tenants had to make way for the planting of trees. They began to lose their plowing rights and were forced to become full-time wage earners. The process of political transformation has witnessed the systematic eviction of labor tenants from the land they called home by forestry companies and white farmers. The conflict between labor tenants and farmers is essentially around land ownership and control. While labor tenants lay claim to the land through historical occupation, white farmers and forestry companies are asserting their land rights through ownership of title.

Labor tenants summarize the source of their problem as follows: “our landlessness leads us to rely on the employment of the farmer for our shelter, thus giving the farmer absolute power over us. Give us our land back and all our problems will be solved.”²⁶ Also, the racial order of land allocation has generated resistance to change by farmers. Apartheid policies have created a rural white power bloc which feels threatened by the prospects of meaningful land reforms as white farmers want to ensure that their

²⁶Ibid., 224-225.

existing land rights are protected. In essence, white farmers perceive labor tenants as a threat to their “absolute rights” of land ownership as the necessity of land reform becomes a reality. To them the only solution is to get rid of the tenants from their farms, especially those who have occupied the land they are on for generations. It seems what white farmers want to create is a fully proletarianized and propertyless workforce, an idea that labor tenants resent, in Zimbabwe and South Africa, since they feel that they also have rights to the land. As one labor tenant expressed in South Africa:

I have lived here for all my life. My father worked in this farm, as did my grandfather. They are all buried here. I am now old and unable to work. But now this white man wants me to leave my home and my ancestors. He just came here a few years ago claiming to have bought the land from the one who was here before, who also stayed several years before leaving. This white man is mad, this is my land and I will never leave this farm alive.²⁷

Evidently, labor tenants regards white farm owners as tourists on the farms, who come to exploit them and leave after they have enriched themselves. However, some farmers often turn mean-spirited and may use brutal force to enforce evictions. They had sometimes killed tenants in the process of evictions. In some cases the farmers act as if they have rights over the lives of labor tenants. In this situation police show reluctance to arrest farmers while magistrates are reluctant to prosecute.²⁸ This has led the new South African government to enact a new “Labor Tenant Act of June 1996.” The Act was also back-dated to take effect on June 2, 1995 to curb the incessant abuse handed out to labor

²⁷Ibid., 225.

²⁸Ibid., 226.

tenants.²⁹ This demonstrates the character of the white power bloc on the land related issues. The social order, from political power to land access and control of labor and the allocation of wages, was based on race.

Large farms, be it commercial, state or cooperative enterprises, play an important role in world agriculture. Although small in numbers they occupy considerable portions of agricultural land in many countries. In most world regions small and medium size family farms prevail, yet large farms are found in greater numbers in Latin America (typically as latifundium) and in Southern Africa with production specialized in a few crops or in cattle ranching. Large commercial firms are centrally managed estates or holdings with an acreage far above the national average; they employ much more hired labor than family labor and practice clear division of labor within a management hierarchy. They are in most cases capital intensive enterprises that produce for national or international markets. Private ownership, on individual or corporate basis is a major characteristic. In the history of European agriculture, large commercial farmers played important political and economic roles. In Latin America, Asia and Africa they were frequently favored pillars of colonialism since they exerted substantial political power in order to push through political ideas and economic group interests.³⁰

²⁹"The Land Reform Labor Tenants Act - Act no 3 of 1996" Department of Land Affairs.

³⁰Peter Von Blanckenburg, Large Commercial Farmers and land Reform in Africa - The Case of Zimbabwe, Aldershot: Avebury, 1995, 2.

AN ASSESSMENT OF LAND USE CONTRIBUTIONS BY COMMERCIAL FARMERS IN ZIMBABWE AND SOUTH AFRICA.

Large white commercial farmers in developing countries are a controversial topic for many reasons. A negative assessment is that their land acquisition in the past has often been criticized because it occurred in many countries based on a political or military power position. When the land was taken from the local population by force, resistance and long standing resentment against the large farmers were frequent effects. Also, the social situation on estates with respect to laborers dependency, low wages, inequalities in income and access to land are causes for criticism and mistrust in many countries, including Zimbabwe and South Africa.

On the positive side, large commercial farms have a number of merits.³¹ They are usually technologically advanced, due to close contacts to agricultural research they lead the agro-technological progress in many countries. The large commercial farmers management tends to be more efficient, they tend to be a major support for the supply of food to the nation and for hard currency earnings through export production. Also, it is easier for large farmers than for small farmers to supply products of high and constant standard; therefore, agricultural industries and export traders purchase large farm products more readily than the small farms products. Also, they are regarded as capable of making a greater contribution to national economic growth since they supply raw materials to the industrial sector, enhance the expansion of the domestic market and creates economies of scale. "Economies of scale exists in those instances where, when all

³¹Ibid., 1-2.

inputs are increased in the same proportion, and output increases in a greater proportion.”³²

However, the increases in inputs will require a doubling of capital and labor inputs for output to double. Also all output of the large farms do not necessarily leave the agricultural sector. In reality, some of this output is bought by landless laborers and small farmers in food deficit and is not available to the rest of the economy. Moreover, the high capital needs of large farmers and specialization in certain production, especially in Zimbabwe and South Africa, make them sometimes more vulnerable to sudden changes in national or international demand and to general economies. It is important to take another look at the presumption that large farms contributes positively to foreign exchange earnings in an economy. Infact, large farms tend to incur high foreign exchange costs per unit of output than do small farms because the latter are more mechanized.

On a positive note, small farms do have a wide range of advantages over large farms, especially in developing countries such as Zimbabwe and South Africa because they create more employment; more equitable distribution of income; more relevant demand for the manufacturing sector; a solid base for farm financed social welfare and more rational investment policies in both agricultural and non-agricultural sectors of the economy that will benefit the society as a whole. In these countries with a rapidly growing population, the ability to feed the masses is important for prosperity. As large farms concentrate on growing cash-crops such as tobacco, cotton and others, an immense

³²Thomas Munjoma, “Small Farms Have Range Of Advantages” The Zimbabwe Independent, May 12, 2000, 2

need to ensure that enough food is grown locally becomes more important considering the impact of structural adjustment policies, rampant monetary devaluation in the continent, and the realization that these countries have limited capacity to import sufficient food to feed the masses.³³

Large farmers in developing countries are often criticized for exercising too much political influence or for being unjust to their laborers and other people. They are also envied because of their wealth. Economists tend to look at large farms in a more favorable light. They also tend to give weight to their above average productivity, export contribution and to the employment opportunities generated by large farms. In Zimbabwe and South Africa, an assessment of the role of the large farm sub-sector must take into account the economic, social and political aspects that is relative to development and the land reform goal.

Land politics cannot be discussed in Zimbabwe and South Africa without referring to the role of large commercial farmers in the aftermath of land dispossession in both countries. The long standing discrimination which occurred because of unequal land distribution and white economic domination resulted in civil strife along racial lines among the countries' inhabitants. These resulted in civil wars and liberation struggles that touched every fabric of society. The political chaos and economic woes that this struggle brought into both countries, have taken a new twist. It has brought about new openings in the political, as well as the economic realms.

³³Munjoma, "Small Farms Have Range of Advantages," 3.

THE GENERAL OBJECTIVES OF LAND REFORM

The large disparity in land distribution between blacks and whites in Zimbabwe and South Africa have necessitated a review of land redistribution in both countries. Land reform is regarded as a political move to avoid impending revolution. It may be forced upon an inherently conservative regime or racial group, as it is the case in Zimbabwe and South Africa. In both countries, the government may use land reform, or the promise of it, to gain or retain power.³⁴ Sometimes, governments and political elites often consider the structural change as too slow or as maladjusted, and this induces them to speed up or redirect it by interventions. They may introduce land reform measures which consist of legal, institutional or equitable measures for the people's interest. Land reform in general terms means redistribution of land ownership titles or other interventions in land use rights, such as tenancy. It is a public action that assigns specific roles to land tenure. Its purpose is to amend or remove barriers in order to provide peasants with command over food and thereby reduce poverty and inequalities.³⁵

In a world of increasing population pressure on the land, the forceful ideas of social justice have necessitated major reforms in the last century, and large farms have been a prime object of land reforms. The land of private landlords has been transferred into state ownership or into cooperative farms or it has been given to small or medium scale settlers. Another type of land reform that has been carried out is the compulsory

³⁴Rusell King, Land Reform.- A World Survey, Boulder: Westview Press, 1977, 12.

³⁵M. Riad El-Ghonemy, The Political Economy of Rural Poverty - The Case For Land Reform, New York: Routledge, 1990, 88.

joining of small peasant farms into large ones. The most prominent example is the collectivization of small and medium sized farms under communist banner. This was the case in Ethiopia.

OBJECTIVES OF REDISTRIBUTIVE LAND REFORM IN ZIMBABWE AND SOUTH AFRICA

Redistributive land reforms are promoted by three main objectives which are political, economic and social in nature. First, the most important political objective of land reform is to change the power structure in the society by depriving the land based elites of its power base. The reform is supposed to prevent or calm down agrarian unrest, and to stabilize the ruling political system. Land reforms may help to create a new climate of expectation, integrate marginal groups better into the society and give settlers their identity as land owners. The political component is of great importance. Land distribution is worthwhile where an oligarchy of landlords uses its political position primarily for safeguarding privileges without contributing much to the social and economic development or preventing increased political and social participation of the rural people. Attempts to implement land reforms failed sometimes because the government was not strong enough to break or bypass the power of the landed elite. This was the typical case in Latin America during the 1960s.³⁶

Next, is the economic objective of land reform which is mainly efficiency-oriented. The objective is to increase agricultural production, and to improve land and

³⁶Blanckenburg, Large Commercial Farmers and Land Reform in Africa - The Case of Zimbabwe , 6.

labor productivity. In some cases, where dualistic structure of agriculture prevails, with large and small farms only, alterations in favor of a more balanced structure of small, medium, and large-scale units may be prudent. Also, the economic objective of land reform is expected to reduce rural poverty by providing a sufficient livelihood to people, who have little or no land. The removal of structural constraints to development helps to release new productive forces. The economic issue is of major importance since many developing countries are saddled with structural constraints. Many poor nations cannot afford a drawn out change in agrarian restructuring since it can adversely affect their economy. Land reform has shown positive effects on employment in several countries as it provides a secure work place to tenants and sharecroppers. Also, in many cases it provides the bases for non-monetary and monetary capital formation through well organized resettlement schemes.³⁷

Another economic objective of land reform is to positively influence the effects of income and productivity. In countries like Iran and Kenya, the redistribution of large farm land was initially beneficial, as it led to improvements in the standard of living of the beneficiaries. In Zimbabwe and South Africa, land redistribution was beneficial to those that have received land since it has become a source of employment. In most cases, income redistribution effect is noticed immediately after a land redistribution effort. Whether it last long depends on the level of development, productivity and the availability of the necessary support services for settlers. However, the equitable distribution of income among individuals and households is central to a nation's welfare

³⁷Ibid., 8-9.

and this has become a major public concern in both Zimbabwe and South Africa.³⁸

Third, the social objective and the equity idea stands out. It enhances social justice, aids in reducing excessive inequalities in land distribution and helps in generating higher income. In Zimbabwe and South Africa, and among other developing nations, hopes for higher levels of equity have fueled the support of the rural people for land redistribution. All these have decreased dependency and exploitation which are regarded as unethical in a modern society.

THE RATIONALE FOR A MORE EQUAL LAND DISTRIBUTION,

From a practical point of view, equal distribution of land is neither possible (because not enough land is available for satisfying all the landless) nor is it economically advisable because wishes and needs and the capability to cultivate the land differ strongly within the rural population. Yet, more enduring equality is necessary in many developing countries as large differences in wealth and property that may lead to hatred and unrest must be avoided. Most land tenure specialists have come to regard a fairly balanced land reform and agrarian structure as a precondition for sustained economic development. In 1972, in his support of social equity, political philosopher John Rawls indicated that political justice is needed for the stabilization and the continuity of a social system. That the principle of social justice requires that existing inequalities result in compensating benefits for everyone and in particular for the least

³⁸Irma Adelman & Cynthia Taft Morris, Economic Growth and Social Equity in Developing Countries, California: Stanford University Press, 1973.141-143

advantaged members of the society.³⁹

Measures to reduce the extent of socio-economic inequalities are very important in order to achieve social justice at the lowest level of development. There is no policy instrument that can systematically improve the income position of the very poor. Only the spread of small-scale commercial agriculture may prove helpful to the middle-income groups. The only hope of significantly improving the income distribution in these countries lies in a transformation of the institutional setting. Essentially for Zimbabwe and South Africa to avoid stagnation of development, they must end their dependence on the white colonial elites and replace them with indigenous entrepreneurs and administrators.⁴⁰

THE LAND QUESTION IN INDEPENDENT ZIMBABWE AND SOUTH AFRICA.

As independence brings new political and economic dispensation to Zimbabwe and South Africa in 1980 and 1994 respectively, both nations' attention turns toward the land question. In Zimbabwe, the ability of the now ruling party, the Zimbabwe African National Union - Patriotic Front (ZANU-PF) of Robert Mugabe, to mobilize the peasantry within Zimbabwe during the guerrilla war against the illegal regime of Ian Smith (1965-79) was due to the peasants determination to regain their land. This led

³⁹Blanckenburg, Large Commercial Farmers and Land Reform in Africa - The Case Of Zimbabwe 7-8.

⁴⁰Adelman and Morris, Economic Growth, 192-196

many to expect radical redistribution of land after 1980. In Zimbabwe, an initial plan, 'Intensive Resettlement Programme' was introduced to resettle 18,000 families over the years 1980-83 on 1.1 million hectares purchased from the white commercial farmers. Government soon realized that the 'intensive resettlement programme' would not make much impact on the overall land hunger problem, a new Transitional National Development Plan was introduced in 1982 which set a new target to resettle 162, 000 families by 1985.⁴¹

In 1985, the year that the target of 162,000 resettled families was to be achieved, only 35,000 families was actually given new land. This was due to the Lancaster House Constitution that was negotiated between the former Rhodesian regime, the guerrilla movements ZANU and ZAPU, and the British Government which included a Bill of Rights in which 'property rights' were entrenched. Therefore, significant land acquisition could legally be carried out only on a 'willing buyer - willing seller' basis. The sellers were only willing to let go of the least productive land. Prior to independence the Zimbabwe African National Union talked about collectivism and state takeovers of commercial farms. However, most resettlement schemes were organized on the basis of individual plots for cropping and grazing.⁴²

⁴¹Tor Skalnes and Sam Moyo, "Land Reform and Economic Development Strategy in Zimbabwe-State Autonomy and the Policy Lobby," Working Paper, Development Research and Action Programme, Department of Social Science and Development, Chr. Michelsen Institute, 1990, 2.

⁴²Ibid., 3-5

THE INITIAL STEPS TOWARDS LAND REFORM POLICY IN ZIMBABWE.

The early arguments in favor of land redistribution in Zimbabwe focused to a large degree upon the political and normative issues involved, as well as the economic and ecological conditions prevailing within the communal areas. In answer to criticism of the land reform effort because of its costs to the country, arguments for a broader economic significance became more important. A prominent contention was that land reform might help increase efficiency of resource utilization within the agricultural sector. A major normative issue involved in those early discussion was to deal with rectifying past discrimination, such as restoring the lost lands to their rightful owners. To this was added the political consideration that since the land issue was really what had fuelled the guerrilla war in the rural areas, it was necessary to satisfy the peasants' wish for more land. Moreover, land redistribution accorded well in principle with the stated objective of the new government to build a more egalitarian, socialist society. Also, the issue of socialism brought emphasis to the form of ownership - 'private versus collective' system of distribution.⁴³

Around 1980, debates centered on the appalling economic and ecological conditions within the peasant farming zones. The communal areas in their present form could not support the number of people that depended upon farming there to meet a significant part of their economic needs. In response, the basic idea was to end the migrant labor system whereby men went to work in the towns while leaving their families behind to farm. It was deemed advisable to create a class of permanent farmers in the

⁴³Ibid., 4-5

rural areas with individual title to land on the one hand, and on the other a real working class in the cities. Thus, pressure on the land would be relieved and proper farming practices encouraged. As such, after independence, there was a clearer recognition that some land would have to be redistributed. The need for more land from the point of view of the majority of peasants in the rural areas can hardly be doubted, and this led to the formal institution of land reform program in Zimbabwe.

Conceptualizations of Zimbabwe's land question and land reform during the 1980s focused on redressing past grievances over land alienation, promoting equity in land property rights in order to attain political stability given wide spread demands for land, and promoting economic efficiency through the downsizing of land holdings for more effective use of land by committed non-absentee and socially broadly based land owners. Zimbabwe's land reform was mainly defined in the context of promoting national self-sufficiency, focussing upon import-substitution industrialization and agricultural development strategies, led by state interventions in land related markets. Land reform was promoted to enhance labor intensive small farmer production systems so as to optimize land productivity, returns to capital invested, the self provision of food and basic needs, and to encourage a less skewed income distribution. This approach promised macro-economic benefits including 'growth with equity,' political reconciliation in a racially polarized society, and more broadly based participation in the economy. Indeed, the land question for Zimbabwe embodied issues of the efficient use of scarce and abundant national resources, while promoting food security and, household and economic

self-reliance strategies.⁴⁴

Finally, in view of the land struggles, political crisis, and economic chaos, the 1980s were a period of transition, reconciliation, reconstruction, and learning in Zimbabwe. White rule had excluded most blacks from training and responsibility, and so the 1980s were periods of catching up, creation of institutions and for gaining experience. There was also a backlog of pent-up expectations and desires. On the land question, few of these expectations from land reform were met, and this led President Mugabe to state categorically that:

we had wanted to resettle some 162,000 families within three years, 162,000. It just proved impossible, because it was beyond, completely beyond, our management and our resources... And even if we had the resources, we just do not have the capacity to do it.⁴⁵

LAND REFORM - A CORNERSTONE FOR RECONSTRUCTION AND DEVELOPMENT IN SOUTH AFRICA.

For South Africa, the first democratic government has made the land question one of its top priorities and a cornerstone of its plans for reconstruction and development. It is hoped that land reform will return land to blacks in South Africa dispossessed of their land over centuries and contribute to the uplifting of people who were systematically

⁴⁴Sam Moyo, "The Impact Of Structural Adjustment On Land Uses In Zimbabwe," Director of the Southern African Regional Institute for Policy Studies(SARIPS) based in Harare, Zimbabwe, 1999, 3.

⁴⁵Des Gasper, "What Happened To The Land Question In Zimbabwe? Rural Reform In The 1980s." Working Paper Series No. 91, October 1990, 5-6.

oppressed by apartheid.⁴⁶ The subject is indeed an emotive one. As Cyril Ramaphosa, ANC secretary-general and chief political negotiator, noted at a 1994 conference in Johannesburg on land distribution options:

The dispossession of the majority must come to an end. Unless we settle the land question, we do not have a country. If we handle it badly, we tear South Africa to pieces. If we manage it well, we create the foundations for a truly united nation...Most of us in the leadership have an urban bias. We belong to the towns and have a deep sense of involvement with the urgent problems of the cities. The land question appears so difficult, so laden with emotion, so ridden with layers of competing interests, that we wait for a more convenient time to deal with it.⁴⁷

Former President Nelson Mandela had plans to redistribute land to the majority of the landless blacks. Since private ownership is guaranteed by the constitution, the land to be redistributed must be purchased or parceled out from lands already held by the government. Yet behind his radical conservative economic program lies a bolder one, which African National Congress (ANC) ministers will not want to let slide. The African National Congress has promised both the restitution of land to blacks from whom it was confiscated under apartheid, and the redistribution of land to those who have none; as a result, South Africa embarked on a market-based land redistribution program that would lead to 30 percent of current white South African farmland being turned over to small-scale black farmers within the next five years,⁴⁸ (figure derived from World Bank report

⁴⁶Tessa Marcus, Kathy Eales and Adele Wildschut, Down To Earth-Land Demand in the New South Africa, Durban: Indicator Press, 1996, Preface.

⁴⁷Anne Shepherd, "The Land Inequity," Africa Report, Jan-Feb. 1994, 65.

⁴⁸"Who Owns South Africa" The Economist May 28, 1994, vol.331, 35.

titled Options for Land Reform and Rural Restructuring in South Africa.) This figure was compiled by the World Bank with input from a number of South African leading experts and non-governmental agencies.⁴⁹

Black poverty is rooted in the loss of land, first during wars with the British and the Boers and then under the apartheid laws. Land has a special meaning for blacks, reflected in the slogans used by African National Congress such as 'come back Africa,' and by the rival Pan Africanist Congress's 'the land is ours.' Under apartheid laws, some 3.5 million people were forcibly removed from their land by the white government between 1960 and 1980 and dumped in the reservations. Nearly all of them want their land back. Most is now owned and farmed by whites. The African National Congress plans a land rights commission to investigate claims, and a land claims court to settle disputes. Problems abound, as it was in Zimbabwe, the new bill of rights both enshrines the right to private ownership of property and guarantees just and equitable compensation to any owner whose land is expropriated.

A major issue that is unclear is how the government could afford to pay, especially since it is bound to make compensation based on the market price. However, the African National Congress says it can start with under-used land owned by the state, notably by the defence ministry. It has indicated that it will take land owned by South Africans living abroad. Also, recession, drought and political uncertainty have also driven white farmers to put sizable amount of land areas on the market for sale.⁵⁰

⁴⁹Shepherd, "The Land Inequity," 65.

⁵⁰"Who Owns South Africa," op.cit.

Inevitably, there are contradictions of philosophical principle, political responsibility and technical management in a process of land reform that is both state initiated and demand oriented.⁵¹ Bureaucrats seek to implement land reform within a paradigm of economic viability, agreed structures of management, approved business plans, control of the number of people settled, and financial accountability. However, individuals have expressed their demand for land, for example, through direct occupation, in ways that immediately vitiate the enforcement of these official government requirements. Due to this circumstances, government and the people are locked in delicately shifting embrace.

Government is dependent on the political support of representatives of civil society and of certain social forces to establish and sustain credibility for its policies of land reform and to carry them through, in the face of opposition often from other social forces and sometimes from other parts of itself. Individuals and community representatives who require land, on the other hand, and who are unable to 'enter the market-place' on their own account, are inevitably constrained by the official legislative and bureaucratic framework that has been devised for land reform and by their own lack of capital resources. They are dependent on an initial national grant of R15,000 per qualifying 'poor' household available from the state, and they often require additional sources of finance, which may or may not be available at interest rates below the prevalent commercial rates, to complete land purchase and to develop enterprises on it.

⁵¹Colin Murray, "South African Land Reform: Case-Studies in 'Demand' And 'Participation' The Free State." African Affairs, April 1997, vol, 96, 187.

Such support, unsurprisingly, carries many conditions imposed by the state and by the other agencies concerned.⁵²

In 1994, a national investigation of the 'need' for land commissioned by the Land and Agriculture policy Centre (LAPC) in Johannesburg attempted to quantify through the administration of questionnaires but to their dismay discovered that most of the response could only be resolved politically. The Department of Land Affairs (DLA) has stressed its recognition of this problem, and encouraged an extensive process of public consultation around land policy issues; but faces large difficulties such as political conflict, fiscal constraint, bureaucratic drag, lack of capacity of various kinds in resolving its practical implications. Impatience at the slow pace of reform, meanwhile, "is expressed in sporadic outbursts of popular frustration."⁵³

Central to the World Bank report in "Options for Land Reform and Rural Reconstruction in South Africa" is the assumption that most land reforms in South Africa will occur as a result of redistribution and not restoration. Pointing to examples such as Zimbabwe, where investor confidence has been negatively affected by government interference in fixing land prices and designating zones for resettlement, the World Bank argues for a market-based land redistribution program in South Africa. Key features of the World Bank proposal are:

- 1) the purchase by government of land freely available on the market. At the moment, there is a sizable amount of such land, because white farmers are

⁵²Ibid., 188.

⁵³Ibid.

quitting due to drought, recession, and political uncertainties.

- 2) the report estimates the cost of the project, including contingencies, at about \$5.3 billion. Of this, beneficiaries would be asked to pay 8.2 percent, and borrow an additional 12.3 percent, bringing the government cost to \$4.3 billion.
- 3) the World Bank also suggests that half of this could be met from donor sources and proposes that a multilateral agency such as the United Nations Development Program, the European Union, the African Development Bank, or the World Bank be asked to coordinate donor financing.⁵⁴

However, to the left of the political spectrum, some are suspicious of the World Bank. Cynics contend that the World Bank having failed to find a lead role for itself in the country's economy, is now looking for a niche in South Africa. More precisely, ANC-aligned economists have questioned the insistence of the World Bank that beneficiaries of the scheme contribute by paying something themselves and taking out loans. They are concerned that this "will again exclude the poorest people in the rural areas, and especially women, who account for the highest percentage of the rural dispossessed."⁵⁵ An overriding theme of the World Bank report, and indeed the land option conference, is that if land reform is to succeed, it has to be undertaken speedily, or not at all.

In summarizing historical developments of land and its social structure, land is fundamentally seen as an important instrument of wealth and life by various sectors of

⁵⁴Shepherd, "The Land Inequity" 3

⁵⁵Ibid.

society in Zimbabwe and South Africa. The concerns of those who have landed interests or are interested in land do not derive from any inherent quality in the object itself, but rather from need as well as the socially and legally defined rights which have historically been attached to it. The issues of land use and access, private and communal tenure, state control and chiefly allocation, competing and conflicting interests between rich and poor, overlaid by the transition from predominantly agriculturally based societies into a single industrially based economy, have been played out in various parts of both countries in different ways over the past two centuries. The outcomes were shaped and reshaped by the changing relationships between the state, different segments of capital and transforming indigenous African societies.⁵⁶

The standardizing and monopolizing effects of colonial rule and mineral led industrialization were everywhere tempered by the diversity, complexity, resilience and flexibility of pre-existing societies. For all that, the process of protracted, often violent change transformed the countryside. It unravelled the social fabric of indigenous agrarian based societies, fundamentally affecting black people's access to and use of land. Rather, in establishing how land fits in with the way people live and work in our contemporary society, the foundation is laid for taking the present into the future, helping direct and find answers to the role that land can play in addressing the pressing development needs of the millions of people living in rural and urban Zimbabwe and South Africa. This opportunity is provided by the uniqueness of the moment. For the first time in modern history, profound changes have brought to power democratic governments committed to

⁵⁶Marcus, Down To Earth, Introduction.

reforming landed relations in order to redress the injustices of racist exclusions and to stimulate development process in both countries which considers and is responsive to the needs of the poor.⁵⁷

⁵⁷Ibid.

Chapter 3

LAND REFORM POLICY IN ZIMBABWE.

Land reform policy experiences in Zimbabwe and in Southern Africa emerged as a measure designed to ameliorate land conflict and uncertainty in the region's political economy. The colonial legacy and continued exploitative production structure resulting from unequal land ownership patterns, access to agricultural resources and infrastructure undermines the development of indigenous African agriculture in general and is the cause of political discontent in Zimbabwe, South Africa and within Southern Africa. While the land question is a contemporary problem in Southern Africa, it has received renewed attention as an area of public policy making in recent times. The lingering question in the minds of many people in the region is whether the process represents a final commitment to solve the problem or whether it simply depict renewed political posturing.¹ In a brief summary, this section will highlight events associated with land reform in the region.

LAND REFORM POLICY IN SOUTHERN AFRICA

In Southern Africa, the emerging process of land policy formulation under economic liberalization is a complex set of power relations within a highly differentiated society, which is based upon a legacy of racial, class, ethnic and gender disparities in the control and use of land and natural resources. Land policy involves the changing state,

¹Sam Moyo, "Land Reform Experiences in Southern Africa," research facilitated by the Environmental Unit of the Southern African Regional Institute for Policy Studies (SARIPS), presented at Zimbabwe Economic Society, in Harare, July 1998, 1

society and external forces in shaping new opportunities and resource benefits from a new global order focussed on investment in land. In the region, land reform policy embodies the efficient use of scarce and abundant national resources, while promoting food security and household domestic self-reliance strategies in the area. Few of these expectations from land reform have been met in the region since independence. This expectations have led to questions on why land reforms remains an elusive agenda in the region. Especially, since the essence of national struggles in most of the Southern Africa countries are their commitment to the control of land and its productive resources.

Land reform policy in Southern Africa aims to redress grievances over land alienation and to promote equity on land and property rights in order to attain political and economic stability given widespread demands for land. Land reform is used to address a range of problems due to settler colonization and land dispossession. In the region, many of the places referred to as communal areas were deliberately created to further colonial policies. They served as reservoirs for cheap migratory labor. A fundamental goal of land reform, especially land tenure is to enhance and to secure people's land rights. This is necessary to avoid arbitrary evictions of blacks from white farm lands and to stop landlessness. The dual racially-based system of land rights that was introduced by the colonial regimes in the region continues to prevail. Laws involving arbitrary racial distinctions have been repealed, but land in the former reserves continues to be registered in the name of the state. Tenure reform has to solve land inconsistency, such as the overcrowding in the communal areas, the overlapping land rights and the cases of exploitation by traditional leaders, warlords, government officials and

politicians.²

In most cases, the state has become the legal owner of communal land. This can be an opportunity or a difficulty, depending on how land reform is perceived to affect the interests of those with power and influence. A notable exception in Southern Africa is Botswana, where considerable progress has been made through the integration of traditional tenure with modern system of land administration for both customary and commercial forms of land use. The current tenure changes proposed for many Southern Africa states are a pragmatic and gradual approach which emphasizes institutionalization of indigenous land tenure arrangements where appropriate, avoids a regimented tenure model and promotes the adaptability of existing land arrangements. It is viewed as a democratic, transparent, community driven approach. An exception is the current Zimbabwean case which attempt to pursue a radical state-led approach to land redistribution through compulsory land expropriation, or as a failed bureaucratic and non-transparent agenda.

Among countries in Southern Africa which have experienced enforced land alienation at the hands of white settlers, the repossession of alienated land by African citizens remains a central national and agrarian objective, thus land acquisition for redistribution and restitution has been given a high priority. Technically, land reform in most cases is a complex and uncertain undertaking since both economic and other benefits that comes with reforms are difficult to predict, and the required administrative

²Martin Adams, Siphon Sibanda, & Stephens Turner, "Land Tenure Reform And Rural Livelihoods In Southern Africa," Natural Resource Perspectives, February 1999, 2-3.

costs are difficult to justify. This invariably threatens powerful vested interests such as land owners and commercial farmers on private lands; and traditional leaders or other structures in the communal areas. However, the cost of taking no action may be enormous. A major dilemma is finding the funds for land reform. The funding of an effective system of land rights management is a precondition for securing the land rights of poorer citizens, both in the communal areas and on private land. Government must ensure that adequate measures are in place to protect people from exploitation by elites. As land reform systems are being established in the region, funds also have to be found for public information, the training of officials, dispute resolution and community facilitation.³

In the final analysis, there is a wide range in the objectives, circumstances and conduct of land reform in Southern Africa. The level of state intervention has been the subject of debate by welfare economists. Economic arguments favoring land redistribution focus on the diseconomies of large-scale enterprises and on the need to increase returns to land. Invariably, decision on whether to proceed with land reform is always political as growing landlessness, chronic indebtedness and eviction of tenants threaten stability, the state often intervenes to regulate ownership rights, sometimes with the tacit agreement of landowners seeking to prevent land invasions.⁴

³Adams, et al., "Land Tenure Reform And Rural Livelihoods In Southern Africa," 3-4

⁴Adams, "Land Reform: New Seed on Old Ground?" Natural Resource Perspectives, no 6, October 1995, 2.

LAND REFORM AND THE LANCASTER AGREEMENT IN ZIMBABWE

The genesis of a new land policy in Zimbabwe began with the birth of a new democratic Zimbabwe in 1980, a political settlement achieved through negotiation at the Lancaster House. In 1979, the war, economic difficulties, international isolation and white emigration forced the Smith government to seek a negotiated political settlement. The black nationalist forces also decided to seek peace through negotiations because their leaders realized that a complete military victory would cost thousands of African lives and result in large-scale destruction of the country's infrastructure and industry. Also, the leaders of other Southern African countries, which were severely affected by the war, pressed them to negotiate.⁵

Under pressure from the countries which hosted the guerilla armies, and placated by promises of international aid in the acquisition of land, and with the help of the then British Foreign Secretary, Lord Carrington, the two sides eventually agreed to the constitution drawn up at Lancaster House in late 1979.⁶ In the interim, the black nationalist forces accepted significant constraints on the future government of an independent Zimbabwe. The Lancaster House constitution protected property rights - notably land, against seizure for 10 years, thereby leaving the majority of the economy in private hands. Hence, white land could only be acquired compulsorily if the owner was compensated in foreign currency. Moreover, the constitution quarranteed twenty seats

⁵Jeffrey Herbst, *State Politics in Zimbabwe*, Berkeley: University of California Press, 1990, 28-29.

⁶*Ibid.*, 29-30

(twenty percent of the seats in parliament even though the whites comprised only two to three percent of the population) to whites in the one hundred seat parliament for seven years.⁷

Even though the land question was at the heart of the colonial struggle, land reform was not at the heart of the post-independence settlement brokered by the British government at the Lancaster House conference in 1979. The provision that land must be bought in foreign currency on a “willing buyer, willing seller” basis further gave more constitutional protection, to the land-owning white farmers.⁸

To get the support of the nationalist factions led by ZANU-PF to go along with the Lancaster agreement, the Western governments led by Britain and the United States promised international assistance to buy white farms and reconstruct the rural economy. The prefabricated constitution stipulated that any compulsory land purchases must be made in foreign exchange denomination rather than in Zimbabwe’s dollars. In other words, the white land owner must be willing to sell the land and must be paid in foreign currency. Again, this tied the future of land in Zimbabwe to Western control; since only by participating in the world market and governing in a way that attracted western aid would Zimbabwe’s government get the possibility to fulfil its land reform. Meanwhile, the western promises to fund land reform in Zimbabwe were not honored.

Among those pledges that were not honored, one came from the United States

⁷Jocelyn Alexander, “State, Peasantry and Resettlement in Zimbabwe,” Review of African Political Economy, September 1994, 21:61, 325-327.

⁸Mahmood Mumdani, “Zimbabwe: Land & Votes,” Nation, July 10, 2000, 271:2, 5.

government that promised U.S. \$2 billion infusion into the Rhodesian economy. This did not happen. Government and multilateral donors that pledged aid to Zimbabwe's agricultural development includes Food & Agricultural Organization (FAO); European Economic Community (EEC); United Nations Development Program (UNDP) United States Agency for International Development (USAID); Canada, Denmark, Sweden, Great Britain, Norway and Japan. As of 1989, the British government had contributed only \$105 million (Zimbabwean dollar - current rate of exchange is Z\$45 to U.S.\$1). And United states aid to Zimbabwe, often directed toward agriculture, has been restricted toward research and regional policy work and some assistance to peasant agriculture in the communal areas. The U.S. assistance cannot be used for redistribution or resettlement on former commercial farms nor for cooperatives. Also, any criticism of U.S. foreign policy by Zimbabwe's administration in the 1980s led to cuts in financial assistance.⁹

Between 1980 and 1990, some 70,000 families were resettled on to 3.5million hectares of land. In response to unequal land distribution in the country, the government amended its constitution in 1990 to remove restrictions on acquiring land. A new national land policy was also adopted in 1990, setting new targets for land acquisition and land resettlement, and announcing some policy measures aimed at increasing the government's ability to acquire land.¹⁰

⁹Clark Pratt, Children Of The Soil - Zimbabwe And The Future Of Agriculture In Southern Africa, Massachusetts: Institute For International Cooperation and Development, 1995, 18-19.

¹⁰Ministry of Lands and Agriculture, "Government of Zimbabwe National Land Policy Framework - Discussion Paper," Prepared by the Policy Drafting Team, November 4th, 1998. 1-2.

DEBATES OVER LAND REFORM POLICY

The beginning debate about land reform in Zimbabwe is whether to transfer white-owned commercial land to black peasants, and, if so, how much land? The logic of land redistribution is compelling because there are tracts of commercial land which are unused or used to less than full potential, whereas the peasants holdings are minute and overworked. Analysis of land policy options have come to hinge on the extent of land utilization - the proportion of the land in each agricultural subsector that is actually cropped or grazed. And on land's efficient usage - that can be obtained from investments in land under commercial, peasant, or other production systems.¹¹

The proponents of land redistribution argues that the goals of growth and equity do not necessarily conflict since the commercial subsector will continue to contribute to national agricultural production in the foreseeable future. In the meantime, they see opportunities to transfer substantial portions of commercial farmland without impairing their contributions. They contend that only one-third of the net arable land in the country is being used for cropping and fallow, and that some commercial farms are inefficient and financially unsound. The total area of underutilized land was therefore estimated at 2 million hectares nationwide. The proponents of land reform see unexploited opportunities to target this underutilized land for mixed farming by resettled peasants farmers.¹²

On the other hand, the opponents of land redistribution in Zimbabwe contend

¹¹Michael Bratton, "Ten Years After: Land Redistribution in Zimbabwe, 1980-1990," in Roy Prosterman, Mary Temple, Timothy Hanstad, eds. Agrarian Reform and Grassroots development - Ten Case Studies, Boulder: Lynne Rienner Publishers, 1990, 272

¹²Ibid., 273.

that the utmost caution should be exercised in transferring land from experienced commercial farmers to inexperienced operators because of the risks posed to aggregate agricultural output. They warned that national food self-sufficiency could be lost and export revenues reduced if land is taken out of commercial production. In sum, the opponents of reform clearly oppose the trade-off between the goal of equity in land distribution and the goal of economic growth.

The unresolved nature of economic debates over land reform policy in Zimbabwe was partly due to wider political processes. The most important factors were the government's assessment of external economic and political influences, the accumulation of land on the part of the ruling elite and the related political influence of commercial farmers, the government's perception of its domestic political vulnerability and the dominance of technical bureaucracies and criteria in the formulation and implementation of agrarian policies.¹³ The Commercial Farmers Union consistently claimed that large scale land redistribution or land acquisition outside the willing-buyer, willing seller provision would undermine commercial farmers' confidence in government .

Thus, the government chose not to foreclose on commercial farmers who became heavily indebted to the parastatal Agricultural Finance Corporation as a result of drought in the mid-1980s. Although the government had the capacity and the wherewithal to acquire commercial farmers land due to loan defaults, it was reluctant to do so. Out of 30

¹³Alexander, "The State, Peasantry and Resettlement in Zimbabwe," 325-346.

percent of the 700 large scale farmers who were in default, only 18 farms were seized.¹⁴ Also, the Land Acquisition Act of 1985, which was intended to allow the government to acquire more land for resettlement in blocks near the communal land areas, was scarcely used. The Act also aided the ruling elites to accumulate land. Many farms offered to the government were refused, those lands went into the private market and a significant number of farms totalling over a million hectares, changed hands in this way, many to senior members of the government and the new black ruling elite.¹⁵ In lieu of these questionable transactions, Zimbabwe's government was conciliatory towards commercial farmers following a series of land scams, and given the country's dependence on commercial farmers for 35-45 percent of export earnings.¹⁶

THE PARADOX BETWEEN THE CONSTITUTION AND THE LAND ACQUISITION ACT

Land reform in Zimbabwe was circumvented even before independence in 1980 by the British government through the independence constitution that was left to the incoming black majority government. The constitution included a property rights clause on all properties that provided a legal guarantee for the whites to hold on to their lands and farms as long as possible. It was also a systematic approach to slow down the land reform

¹⁴Martins Adams, "Land Reforms: New Seed on Old Ground?" 2.

¹⁵Alexander, "State, Peasantry and Resettlement in Zimbabwe," 325- 346.

¹⁶Pratt, Children of the Soil - Zimbabwe and the Future of Agriculture in Southern Africa, 22-23.

process. For example, in Zimbabwe, the constitution states that no property of any description shall be compulsorily acquired except under the authority of a law. Consequently, power to expropriate land cannot exist outside the constitutional and statutory basis and limits. Thus not only is expropriation impermissible without specific enabling legislation, but that legislation must be in conformity with the minimum standards set by the constitution. These includes utilization of land for settlement for agriculture, for the relocation of persons dispossessed of their land and for other public usage.

In addition, a law authorizing compulsory acquisition must require the acquiring authority to give notice of its intention to acquire the land to the owner and person having an interest therein. Where the acquisition is contested the enabling law must allow the person contesting to challenge the acquisition in the courts and must further oblige the acquiring authority to seek a court order authorizing or confirming the acquisition.

Prior to the 1990 amendment to the Constitution, the compensation provision obliged the acquiring authority to “pay promptly adequate compensation” for the acquisition of land, and such compensation, was to be paid in foreign currency in any country of the owner’s choice. It was this part of the Lancaster House Constitution which received the most severe criticism and was seen as a major hindrance to land acquisition and redistribution. Not only did it mean that relatively high prices had to be paid for the land acquired but such payments had to be made in scarce foreign currency.

The Land Acquisition Act of 1992 also enable government to amend other important clauses in the constitution - to cease being confined to the willing buyer-willing

seller provision and the foreign exchange transaction provision. Also this gave government the right to set the price without the seller's right to appeal. Among other things, the Constitutional Amendment and the Land Act was intended to strengthen government's hand in acquiring 5 million hectares of land from commercial farmers for resettlement. The Act called for a number of non-market solutions, such as land valuation procedures to replace the willing-buyer willing-seller provisions when determining purchase price and to limit the number of farms owned by absentee landlords and foreign owners who employ blacks to manage their farms.¹⁷

These constitutional amendments and the Land Acquisition Act provisions were highly contested both in the political and legal arena as they were viewed by many, especially by the predominantly white commercial farming sector, as constituting a serious threat to security of tenure, agricultural investment and to the viability of commercial agriculture in the country.¹⁸ The government's land policy was criticized by the commercial farmers who favored greater reliance on quasi-land market mechanisms. They recommended dispersed land acquisition for resettlement, rather than block resettlement in designated areas. Limits on the number of farms that could be owned, farm size and land subdivision were also criticized. The critics contend that policies restricting farm size create rigidities that increase the cost of adapting to changing market conditions by making it more difficult to farm multiple parcels with different characteristics (lowland, upland) to hedge against risks. They also emphasize that for the

¹⁷Ibid., 5-9.

¹⁸Ministry of Lands and Agriculture, "Government of Zimbabwe," 15-16

land market to work more effectively, owners must have greater flexibility to dispose of less intensively-used portions of farms.¹⁹

It was not surprising that the Amendment targeted mainly the compensation pattern by doing away with the requirement to pay compensation in foreign currency and the concomitant right of remittance thereof in the hope that land for resettlement would thereafter become more affordable to the state since the major hindrance to land acquisition and redistribution has always been related to the issue of costs. Also, the duty to pay compensation was modified from the payment of prompt adequate compensation to payment of “fair compensation within a reasonable time” from the time of acquisition. The new approach also sought to deny the courts power to declare unconstitutional any law which may be seen as fixing or providing for compensation which is not fair. However, the courts still retained jurisdiction to determine the level of compensation where there is no agreement between the parties.²⁰

The land acquisition framework established by the constitution is not merely rigorous and tight but clearly entrenches the judicial method of expropriation as against the administrative method under which expropriation is carried out through purely administrative acts without judicial control or supervision. Under the administrative method the acquiring authority simply decides on the necessity for expropriation and then publishes the requisite notice and informs those affected accordingly. By these acts the expropriation is completed and ownership passes to the state by virtue of these purely

¹⁹Adams, “Land Reform: New Seed on Old Ground?” 5-6.

²⁰Ministry of Lands and Agriculture, “Government of Zimbabwe” 16-17

administrative acts. The judicial method favored by the whites in Zimbabwe, allows for judicial intervention if and whenever an administrative act of acquisition is contested.

The legal process inadvertently slows the process of land acquisition, becomes very costly for government who have to litigate cases against the powerful white commercial farmers, and moreover takes the decision making power on land acquisition away from the African administrator to the domain of the judicial process which is dominated by the whites who are more likely to be sympathetic to the rule of law and property rights.

There are basically two procedures for the compulsory acquisition of land - the direct acquisition and acquisition via the designation method.²¹ Direct acquisition which also existed under the 1985 Act involves giving a preliminary notice to the owner of the land by stating the state's intention to acquire his land. If the acquisition is not contested, negotiation over the appropriate compensation is fixed, paid or in the event of non-agreement, then the dispute is referred to the administrative court which then fix the compensation at a level which is fair and reasonable. If the acquisition is then authorised the land is acquired and transferred to the state and if it is not the land must be restored to its owner.

The designation procedure authorises the Minister through the publication in the government gazette to designate rural land as land which would be compulsorily acquired in the future for resettlement or other purposes. The purpose for which the land is being designated and for which it will be acquired together with the period, not exceeding ten years, within which it will be acquired must all be specified in the designated notice. A

²¹Ibid., 18

person whose land has been designated has a right to make representations to the Minister objecting to the designation and the Minister must consider those objections. After receipt of the objection, the Minister may revoke the designation notice or confirm it. Either way his decision is final. While under designation land cannot be subdivided, sold, leased or in anyway encumbered without the written consent of the Minister. On both direct acquisition and designation method, the government lacks coordination and effective administration and this has impacted negatively on the process of land acquisition.

In summing up Land Acquisition Laws, “The Constitution requires that all expropriations be done under the authority of a law and that they should be necessary for a stipulated public purpose and that fair compensation be paid within a reasonable time.” In this vein, expropriation procedures are subject to strict judicial procedures with the expropriatee having a right to challenge the acquisition or the compensation offered at each and every stage, and judicial procedures are to be observed.²² This has been the source of frustration for Zimbabwe’s government and has been the cause of bottle-neck for land acquisition. Also the judicial approach has inevitably forced the government to take a populist stand as indicated by President Mugabe during his April 18, 2000 anniversary address to the nation when he stated that commercial farmers have consistently contested land acquisition in the courts, forcing government to abandon the acquisition process.²³ .

²²Ibid., 21-23.

²³“Mugabe’s Anniversary Speech,” BBC News, April 18, 2000, 3.

THE STRUCTURE OF LAND CONTROL AND ACCESS

From the 1990s, until recently, the land issue remains significant because over 70 percent of the population live directly off the land. Sixty percent of the economy's industrial activity and growth depends on agricultural activities. The country's land problem hinges on the inequitable access to productive agricultural lands and existing patterns of land tenure, which is essential to the appreciation of both land grievances and the agricultural problems arising from the concentration of prime arable lands among a few white commercial farmers. At the turn of the 20th century, the land situation became highly volatile as landless blacks led by former guerrillas occupied several white commercial farms.²⁴

The liberation war, population growth and increased movements of households within the Communal Areas generated new political and administrative demands for access to land security of tenure, and local control over land use. From 1980, resettlement and the promotion of Communal Area agricultural production and marketing were the major response of the government to rural unrest. The government's initial goal was to resettle approximately 17,500 families on about 1.2 million hectares of large-scale commercial farmland over a five-year period. In 1982, the target number of settlers was raised to 162,000 families on 10 million hectares of land. By 1993, Resettlement Areas held 3 million hectares, occupied by 58,000 households, with over 200,000 hectares

²⁴"White-Owned Farms Invaded in Zimbabwe," The Washington Post, March 1, 2000, A12.

vacant and another 200,000 hectares undergoing acquisition.:²⁵

The government of Zimbabwe initial approach to land reform was predicated upon a legalistic and technicist philosophy that required orderly and state-led land transfer. The approach sought to control land occupations by peasants or the landless, and indeed criminalized informal land occupation and the exploitation of natural resources on state and large-scale commercial farmlands without proper land transfer. A system of selecting those in need of resettlement, based on social criteria of landlessness, displacement and unemployment, was established. This system thus ruled out various individual or community demands for land restoration on the legal basis of the landholding rights of the large-scale commercial farms and the state. Legal land restoration claims, based on normative or moral criteria, such as inequitable land ownership structures, were precluded. The government thus sought to reserve for itself the legal right to determine land requirements among the indigenous people, the nature of land to be transferred and the beneficiaries.

In Zimbabwe, the government also adopted a technical approach both in its criteria for settler selection and land acquisition. The resettlement program depended on District Councils and officials to identify land needs and problems, such as squatting - defined in terms of population pressure on land and volunteers for resettlement. The government land acquisition procedure initially relied on land available on markets, and later on changed to compulsory acquisition. The compulsory process targeted lands no longer needed by the owners, then those lands believed to be derelict, followed by lands

²⁵Moyo, The Land Question in Zimbabwe, 79-89.

that were unused and underutilized, and then lands owned by absentees, foreigners and multiple farm holders. In theory, land acquisition was rationalized and guided by the perceived levels of land utilization and output in the large-scale commercial farm areas.

Indeed such government thinking dominated social and academic debates on land reform in Zimbabwe, given that the rigid legal-bureaucratic land transfer procedures closed other criteria and options of land supply. Large-scale commercial farmland use efficiency became the focus of arguments for those trying to promote or resist an expanded or radical land reform program. The technical issues of land use optimization, and the economic criteria of land and agricultural resource use efficiency, remained central to the land discourse. Studies attempted to compare the levels of land utilization, input-output structures and land productivity between the large-scale commercial farms and Communal Areas to justify or negate land reform. Only later did the macro-economic concerns of employment development, technology efficiency and the income distribution effects of land redistribution feature in land debates. Apparently, “the analysis of demands for land lagged behind the land use and productivity debate.”²⁶

ZIMBABWE'S LAND TENURE SYSTEM

In Zimbabwe the tenure system is extremely skewed, complicated and fluid, even from the legal perspective with one percent of farmers holding nearly half the available agricultural area and the bulk of fertile land. The tenure system in the communal areas, although indigenous, may also have been supported by the colonial government to

²⁶Ibid., 90-91.

facilitate indirect rule. However, it is clear that governments have at various intervals interfered with land tenure by transferring the authority to allocate land to and from the chiefs. The Communal Land Act of 1982 shifted the authority from the chiefs to District Councils and to Village Development Committees (VIDCOs). In 1996, the Rukimi Commission advised that this should be reversed.²⁷

While the main reason for land acquisition is for resettlement purposes by restoration of land rights to African people, whenever the state has acquired land it has been extremely unwilling to pass on real rights or effective control of that land to its supposed beneficiaries whose interests supposedly justify the acquisition of the land in the first place. The result has been a substantial increase of the area of land over which the state is vested with formal title and exercises effective control. Consequently, there has been no increase in the area of land over which the people enjoy tenurial security of any significant form. In this context the state is increasingly becoming a monopolistic landholder and only granting the occupants of acquired lands precarious land rights subject to executive discretion.

The colonial state invented and then rigorously applied the notion that African systems of law and tenure did not recognize individual rights to land and that all land occupied by Africans was state land. Lands that were set aside for occupation and use by Africans was vested in the respective African Chiefs who held it in trust for their communities. Through various enactments that culminated in the Tribal Trust Lands Act, the colonial state implemented this principle and went further to divest traditional

²⁷Adams, "Land Tenure: Need Seed on Old Ground?" 9.

authorities and African individuals of whatever rights they may have had to hold and allocate land.

Formal legal authority to allocate occupation and use rights in communal area is vested in District councils, it is common cause that in practice a variety of authorities including Kraalheads, headman, chiefs, ruling party village chairpersons and vidcos chairpersons, infact do allocate land occupation and use rights. Thus the Mandi Rukini Commission found that legal position on who should allocate land in communal areas is clear, in practice there is de facto conflict in the allocation of land rights particularly between traditional leaders and local government structures. This causes a great deal of uncertainty, confusion and sometimes corruption. The communal land Act concentrates power and authority on state organs and grants only precarious rights to individual land holders.

A number of factors also inhibit land tenure, prominent among them are the legal, financial, administrative and political problems. Land tenure in Zimbabwe has been hampered with problems arising from lack of clear policies and procedures and the many threats of extensive litigation. Land tenure also entails high financial payments by the government. The exercise was based on market transactions and such approaches are hardly compatible with comprehensive land reform programs. The most commonly cited factor affecting land reform is the legal issue. Initial acquisition of land on the principle of willing-seller, willing-buyer did not provide good quality land to the people. The problems were compounded by ineffective political will as the politicians and

government officials themselves turned into large landowners.²⁸

Apparently, such land-owning politicians stood to benefit from the lack of a clear definition of under-utilized land and the absence of a concise tenure program. As a new segment of the African elite entered into private transactions to purchase commercial land, they also preferred a status quo to any efforts towards reform. Other administrative constraints hindered the direction and pace of reform. Lack of adequate funding base and scarcity of professional bureaucrats has contributed to the slow pace of implementing tenure reform.²⁹ Moreover, both the direct and designated acquisition procedures have adversely affected the implementation of land reform since financial resources are limited to pay the market price on land acquisition.

In finding solutions to the tenorial problems of land in Zimbabwe, the current resettlement process raises concerns about the tenure security of the farm-worker families already living on commercial farms. However, systematic research on resettlement schemes has established that the performance of small farmers has generally been good, both in terms of farm production and household income. Incomes have been higher for those resettled, but the tenure rights of settlers have remained weak. In recent years, the system of settlement permits has fallen away. Names have simply been entered in a scheme register, with no record or title given to the settler. The cabinet accepted the advise of the Rukini Commission that long term leases of minimum 10 years with options to purchase be issued to settlers. This proposal is still waiting to be introduced and thus

²⁸Thomas Munjoma, "Small Farms Have Range Of Advantages," 2-4.

²⁹Ibid.

leaves settlers with no legal rights to remain on the land schemes.³⁰

In respect of the land tenurial systems, from a practical point of view the First Phase of the Zimbabwean resettlement program was rehabilitative as it targeted refugees, displaced people, squatters and the landless and land-short in overpopulated communal areas in this order of priority. From 1985, the program significantly entail translocation resettlement and communal Area land use reorganization for the landless people.³¹

However, the slow pace of land resettlement programs implementation have limited the effectiveness of Zimbabwe's land reform policy. A government's review through the Rukini Commission reveals the programs shortfall, and this has led to the introduction of the Second Phase of Land Reform and Resettlement program in Zimbabwe which aims to:

- * Acquire five million hectares from the Large-Scale Commercial Farming Sector for redistribution;
- * Resettle 91,000 families and youths graduating from agricultural colleges and others with demonstrable experience in agriculture in a gender sensitive manner;
- * Reduce the extent and intensity of poverty among rural families and farm workers by providing them adequate land for agricultural use;
- * Increase the contribution of agriculture to GDP by increasing the number of

³⁰ Adams, et al., "Land Tenure Reform," 9-10.

³¹ Government of Zimbabwe, "Land Reform And Resettlement Programme Phase II - A Policy Framework And Project Document, September 1998, 5

commercialized small-scale farmers using formerly underutilized land.³²

These objectives have led to the introduction of the Inception Phase, which is the first stage of the Second Land Reform and Resettlement Programme (LRRP-2). This is a sixty months action plan which aims to redistribute one million hectares of land annually. The Inception Phase Framework Plan (IPFP) of the Land Reform and Resettlement Programme-2, is to build upon the real experiences of Zimbabwe's first phase of Land Reform and Resettlement implemented between 1980 to 1997.³³ Table 1 shows the relative distribution of land to be acquired annually by natural regions.

Table 1: Projected Land Acquisition per Annum by Natural Region ('000s Ha)³⁴

<u>Year</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>	<u>Totals</u>
1998/9		440	220	220	120	1 000
1999/0		440	220	220	120	1 000
2000/1		440	220	220	120	1 000
2001/2		440	220	220	120	1 000
<u>2002/3</u>		<u>440</u>	<u>220</u>	<u>220</u>	<u>120</u>	<u>1 000</u>
<u>Total</u>		<u>2200</u>	<u>1100</u>	<u>1100</u>	<u>600</u>	<u>5 000</u>

³²Ibid., 3

³³Government of Zimbabwe, "Inception Phase Framework Plan 1999-2000 - An Implementation Plan of the Land Reform and Resettlement Programme - Phase 2," prepared by the Technical Committee of the Inter-Ministerial Committee on Resettlement and Rural Development and National Economic consultative Forum Land Reform Task Force, March, 1999, 2-3

³⁴Government of Zimbabwe, "Land Reform And Resettlement Programme Phase II - A Policy Framework And Project Document," 18.

LAND REFORM ACCOMPLISHMENTS IN ZIMBABWE

The government of Zimbabwe inherited in 1980 a highly dualistic economy which was most visible in the agricultural sector. The division of land was extremely inequitable, as 700,000 smallholders occupied 16.4 million hectares or 49 percent of farming land, in the less favored parts of the country. In contrast, 5,000-6,000 large-scale commercial farmers occupied 15.5 million hectares or 46 percent of the total prime land. The balance of farming land was held by small-scale commercial farmers and state farms.³⁵ The program has been impressive by any standards compared to other voluntary resettlement programs in sub-Saharan Africa. Some 3.5 million hectares of land, 84 percent of it acquired from large-scale commercial farmers, had been committed to the program between 1980 and late 1996. This figure is equivalent to about one-fifth of all land formerly held by the large-scale commercial farmers.

Also, the economic effect of land redistribution on agricultural production in Zimbabwe are now beginning to appear, and redistribution of land in Zimbabwe has not led to economic decline or collapse as predicted. The resettlement program made extensive use of land by resettling 52,000 households occupying some 2.7 million hectares, and the average family has access to 51 hectares. The family farm model (Model A) of resettlement has been more popular among prospective settlers than the collective model (Model B). All the available places on Model A schemes are currently filled, more

³⁵Bill Kingsey, "Land Reform, Growth and Equity: Emerging Evidence From Zimbabwe's Resettlement Programme," *Journal of Southern African Studies*, June 99, 25:2, 173-197.

than half the places on Model B schemes remain vacant. The pace of resettlement has slowed markedly in recent years, compared to the early periods when the resettlement rate was about 7,000 households per year, but in the latter half of the 1980s, the annual rate has reduced to an estimated 4,000 households or less.³⁶

LAND REFORM CONSTRAINTS IN ZIMBABWE

Zimbabwe's target numbers and deadline lags far behind its own implementation schedule. A 1996 government report estimated that an additional 4.8 million hectares of land must be acquired from the large-scale commercial farmers in order to meet a revised target for resettlement of 8.3 million hectares. Pressures to increase the pace of land reform has also come from internal political events. In the late 1990s, scandals involving corruption and malfeasance at high levels increased pressure. To defuse these issues, in late 1997, the government identified 1772 farms (4.6 million hectares) for acquisition and for resettlement. Forty percent of these farms (30 percent of the area) were targeted to be used to settle indigenous commercial farmers, senior civil servants and party officials. The chaos created by the declaration to accelerate the land resettlement program, was greatly exacerbated by President Mugabe's insistence that he would take land without paying for it.³⁷

There are a number of reasons for the failure to meet land resettlement targets.

³⁶Bratton, "Ten Years After: Land Redistribution in Zimbabwe, 1980-1990, 78-79.

³⁷Kingsey, "Land Reform, Growth and Equity: Emerging Evidence From Zimbabwe's Resettlement Programme," 173-197.

Government primarily blames lack of funds for land purchase and infrastructural development, but other factors contributed to inadequate resettlement schemes. These factors included the “centrality of commercial agriculture to the Zimbabwean economy, pressure from multilateral institutions, to protect commercial farming, government corruption through which acquired land is given to ministers and other government friends, and flagging commitment on part of the new black elite housed in government to the welfare of the poor masses.”³⁸

A number of other factors - legal, financial, administrative, and political, interacted during the 1980s in Zimbabwe to constrain a more meaningful reform program.³⁹ Most commonly cited is the legal factor. Public officials argued that the government was prohibited from acquiring as much land as it wanted due to the provisions of the Lancaster House constitution. The willing-seller, willing buyer clause ruled out the forced seizure of any land. The first few years after independence saw the emergence of a buyers’ market, as commercial farmers scrambled to take advantage of generous terms of market-rate compensation. Most of the land offered at this time was on farms abandoned or run down during the independence war, principally in marginal or intermediate agricultural zones. Also, when the sellers held the initiative, the government discovered that the land was never available in the right location or in consolidated blocks. Thereafter, the government was able to acquire only the occasional pocket of land in odd parts of the country, leading to a slowdown in land acquisition and to a fragmented

³⁸ *Ibid.*

³⁹ Bratton, “Ten Years After: Land Redistribution in Zimbabwe, 1980-1990,” 280-283.

dispersal of settlement schemes.

There were also financial constraints. The estimated cost of the planned land-distribution program was US\$364 million at constant 1981 prices. In practice, the government of Zimbabwe was never able to raise funding at anything near this level. These costs had to be met essentially from domestic resources since the major international donors held back from supporting land purchases. Apparently, they were unwilling to be seen making funds available to buy out white farmers or they did not favor an acquisition scheme of the scale proposed by the Zimbabwe government.

The administrative constraints on a more extensive redistribution program derived in part from the inadequate funding base, but also separately from the lack of professional human resources in a newly independent country. The Ministry of Lands was understaffed and inexperienced, the United Kingdom and European Economic Community, among other donors, provided modest amounts of equipment, training, and technical assistance, for which there were delays in procurement and implementation. With limited resources, the bureaucracy fell back on conservative planning premises and settlement models derived by the previous government.

Political considerations are most important in accounting for the blunted thrust of land redistribution. As a vital productive asset, commercial farmland has become the object of intense political competition among vested and aspirant interests. Before independence, the Commercial Farmers Union (CFU) lobbied hard and successfully with the British government to ensure the adoption of constitutional guarantees against the nationalization or confiscation of land. Since 1980, the Commercial Farmers Union has

persuaded the Zimbabwe government to evict squatters who illegally occupy private farms, to provide security services to commercial farmers in conflict zones, and to drop a proposal for the block purchase of land under the Land Acquisition Act of 1985. The Commercial Farmers Union's strategy of persistent behind the scenes pressure, although publicly never appearing to disagree with the government, must be counted as a powerful element in shaping land distribution policy.

A new segment of the African elite has entered into private transactions to purchase commercial land. Leading to 600 of the 4,400 commercial farmers who are now black Africans. As many as a dozen cabinet ministers, senior party and government officials, are rumored to own farms. One reason for not strengthening land redistribution policy is that political decisionmakers have a direct personal interest in maintaining the status quo. Especially, as absentee owners, they may benefit from a lack of clarity in the definition of the underutilization of land. To this group, the Lancaster House Agreement may provide a convenient excuse as to why the government cannot do more.⁴⁰

The peasant masses in Zimbabwe have generally lacked the economic or organizational means to influence land policy. As for the landless, there are occasional instances in which squatters and trespassers have persuaded the government to recognize their rights to illegally occupy or graze livestock on commercial farmland. Otherwise, the landless have been a weak force in Zimbabwe because they lack a strong national advocacy organization with which to formulate and press demands.

In sum, land reform has undoubtedly reemerged as the most vital and volatile

⁴⁰Ibid., 282-283.

topic in the national politics of Zimbabwe. From the beginning of 2000, land resettlement crisis has besieged Zimbabwe. President Mugabe has insisted that his government would not pay for land expropriation. In May 2000, the government passed a constitutional Amendment stating that Britain, as the ex-colonial power, was obliged to pay for land stolen from African people during the colonial period. According to the Amendment, "if Britain does not pay, the Zimbabwean government is justified in seizing the land without compensation."⁴¹ He has since initiated a fast-track land program for communal farmers land resettlement program.⁴²

In response, Western diplomatic sources have maintained that they would only support a land reform process that is transparent and based to a large extent on what was agreed to at the donors conference in 1998.⁴³ Also, United Nations Development Programme (UNDP) boss Mark Malloch Brown, met with President Mugabe to discuss the way forward on the land reform problem. The United Nations Development Programme, is playing the role of broker between the international donors and Zimbabwe. Donors are withholding money on land reform in protest against arbitrary measures adopted by Zimbabwe's government.⁴⁴

⁴¹"The Long Struggle for Zimbabwe's Land," Economist, April 15, 2000, 40.

⁴²Loughy Dube, Augustine Mukaro, "Resettled Farmers Abandon Land," Zimbabwe Independence (Harare), December 1, 2000, 1-2.

⁴³Dumisani Muleya, "Pressure Mounts On Mugabe," Zimbabwe Independent (Harare), December 1, 2000.1- 2.

⁴⁴*ibid.*,

Chapter 4

LAND REFORM POLICY IN SOUTH AFRICA

In South Africa, land reform is strategically important for the reduction of rural poverty, for contribution to governments growth, for creation of employment and for structured tenure. Current budget allocations reveal that money provided for land reform makes up less than a half of one percent of the national budget, excluding interest payments. Land reform has been allocated about one twentieth of the proposed spending on rural infrastructure. These numbers serve to illustrate that the funding of land reform is not commensurate with its importance. In its recent internal assessment, the Department of Land Affairs concludes that in order to meet a significant share of the demand for land, the Department will have to increase both its capital budget and staff capacity.¹

FORMULATING THE PROCESS OF LAND REFORM POLICY IN SOUTH AFRICA.

During the “Policy Introduction Stage” on the land reform process in South Africa, the Agenda-Setting stage, is often characterized by intense political activity and is normally very open. Usually encountered in a pre-election phase, such activities as large conferences, mass meetings, consultations, and opinion surveys can be observed. Politicians develop electioneering slogans and will go out to meet people to listen to their

¹“White Paper on South African Land Reform.” 25

demands. Different actors are involved at this stage. Researchers, field workers, development activists, and policy analysts are all engaged in the competition to place their particular interests on the agenda. In South Africa, a formal process took place, which includes negotiations between the apartheid government and the African National Congress led by Nelson Mandela. In the process of establishing a meaningful land reform process in South Africa, various stakeholders, NGOs, government officials, academicians, labor unions, external and internal actors and citizen were involved and pilot programs were introduced to test the viability of the reform process. This stage comes to an end when the national policy is set which may include land reform, as it is the case in South Africa and likewise in Zimbabwe, and the results of the national election are known.

Policy Formulation stage is characterized by a more formal atmosphere, and this becomes less inclusive and populist. It moves more into the realm of government, parliament and the line departments, and it is controlled by policy makers. It may involve potential beneficiaries, or through conferences, consultative workshops and other activities designed to promote particular policy choices. In this stage, policy options becomes more defined. There may be opportunities for outsiders to make policy input, the policy process becomes less transparent. Green and White Papers, and draft legislation, are often produced at this stage to enhance a land reform policy.

The origin and logic of a market-led land redistribution emerged at this stage as land rights struggles had spawned a range of different forms of mobilization from groups and communities which are based on traditional and local identities. The groups were

often advised or mobilized by activists and crusading lawyers. The constituency was drawn to empower the government of South Africa to move in to assert, consolidate and guarantee those rights for which they have fought campaigns. In trying to set the stage for land access, South Africa embark on a different course of action different from those in Zimbabwe. The South African land redistribution program was not implemented through a government agency acquiring large areas of land, providing infrastructure and back-up services for indigenous African small holders. Instead redistribution was left to be initiated by communities. Government was to play a facilitating role, by making grants available to communities to purchase land through the market.²

The various reform strategies attempted by most countries have become a reference point for a market-based land reform initiatives. The overall macroeconomic policy framework adopted by the government in South Africa seeks increased economic and social development through a variety of strategies. These includes enhancing skills and opportunities through human resource development for direct employment and entrepreneurial initiative; delegating more responsibility to civil society organizations and individuals in the country to provide services and improve their lives and that of their children, institutionalizing good governance by involving rural district councils and stakeholders in policy debate; and by instituting land redistribution and resettlement.³

²Lionel Cliffe, "Land Reform in South Africa," Review of African Political Economy, 84, June 2000, 273.

³Sam Moyo, Blair Rutherford & Dede Amanor-Wilks, "Land Reform & Changing Social Relations for Farm Workers in Zimbabwe, Review of African Political Economy, 84, June 2000, 182.

Also, Policy programs are translated into practical programs. Pilot projects that are launched at the formulation level fall exclusively into the domain of government. Procedural manuals are drawn up for use by officials. This becomes very much an expert led process, and outside experts are often requested to give specialist input. It is often difficult to gain access to information, and there is less opportunity to engage. In South Africa, the land reform process was divided into three sections, the redistribution program, restitution program and the tenure program. Likewise, in Zimbabwe, the land reform process was divided into two sections, the redistribution programs and the tenure programs.

The “Action Stage” is the policy implementation phase, the process of carrying out the established policy by government officials as mandated by law or legislation from parliament. This stage involves technocrats who are assigned with the task of implementation to put the policy into effect for the desired result. This is the stage, where most policies succeed or fail, when it concerns a highly complex program such as land reform policy. Essentially, in South Africa and Zimbabwe, this is where the major thrust and concerns over the land reform process confront its major problems and obstacles. These are not limited to institutional problems, political posturing and internal and external threats to the program. In South Africa, lack of institutional capacity to mobilize and operationalize the programs have created a slow pace in the restitution and redistribution programs denying the ANC government the opportunity to meet its stated goals. Also, as earlier indicated on Zimbabwe, the large commercial farmers have waged a legal war through the courts and economic sabotage through external donors against the

government to slow the process of land redistribution in the country.

The policy monitoring phase requires observation and it is mostly established at the program design phase, and it also accompanies the implementation of policy. Monitoring allows the implementers to establish whether or not policy objectives are being achieved. This phase is rarely satisfactory. Also, it is extremely difficult for outsiders to be involved in this phase. Though information may be available which would be useful to the policy-makers, it is extremely difficult to provide this as there are no formal avenues for allowing such outside input.

The policy evaluation phase may be both formal and informal. It may be planned at the design stage to coincide with the end of a particular phase, or in relation to a pilot program. Often it is more informal, occurs during run-up to the next election or a major political re-organization. Questions about the effectiveness of programs are raised in public. If there is widespread dissatisfaction, this will frequently result in a re-examination of policy. This phase may lead to the beginning of the cycle, such as resetting of the agenda or may initiate reversal to the policy development phase. Policy reevaluation occurs mostly during the election time in South Africa and Zimbabwe, as new initiatives and promises are made to the public on the importance of land reform and its social benefits.

In Zimbabwe, the evaluation phase was replayed during the national referendum of February 2000, which saw a government-sponsored draft constitution rejected by the

electorate and has since caused public protest in the country.⁴ The problem of an ineffective land reform policy is at the center of the chaos. The negative result of the referendum has forced the government to embark on a populist notion of land reform policy contrary to the will of the international actors and donors who want market-led land reform policy process.

Land reform policy process has become an area that comprises a wide range of programs, institutions and role-players, and is found in a vast array of sources. Indeed, the very nature of the word 'reform' implies that the policy is attempting to achieve something. Reform also implies something positive, even though this is not always the case. There are always winners and losers, as well as the unintended consequences of change which are often negative. It is very difficult to control events once they are set in motion. As change is stimulated in one direction, it stimulates responses and changes in a wide range of other areas. Moreover, there are also factors beyond the control of those implementing policy programs. Clarity on the nature of the problems being addressed by the policy, clarification of the assumptions which underlies the issues, clarification of objectives, an understanding of the power relations and conflicting interests at play, creating the necessary institutions and establishing the mechanisms for performance, are all important elements of land reform policy process design. "An efficient information flow from all areas of the policy implementation cycle, and the setting of clear indicators at the outset, assist in facilitating corrective action along the way and in measuring the

⁴Daniel Compagnon, "Briefing: Zimbabwe: Life After Zanu-PF," *African Affairs*, 99, July 2000, 449.

impact of the policy over time.”⁵ These are some of the issues that have been lacking in the process of land reform policy in South Africa and within the region all together.

DEBATES OVER LAND REFORM IN SOUTH AFRICA

Land has been the source of racial divide between whites and blacks in Southern Africa. As a result, in establishing precedence for South Africa, Zimbabwe’s constitutional conference at Lancaster House in the United Kingdom confronted major differences over the manner in which the restitution of the land rights of Zimbabweans would be resolved. The constitutional debate which was to be a litmus test for other countries, especially South Africa, became a source of constitutional precedence which resulted in a major compromise between the Ian Smith government and the liberation forces.

For South Africa, the origins of their land reform policy process was also significantly, a compromise document to entertain the interest of the minority whites. The property rights that was entrenched into the constitution in South Africa as well as in Zimbabwe became a major constitutional issue. In Zimbabwe, Mugabe’s decision to experiment with majority rule and the protection of the white interests was a bold move. He took into consideration the disaster that occurred in Mozambique after the Portuguese colonists left. And reasoned that the white population in Mozambique should have been given an opportunity to stay and help with the development of the country.

⁵Adele Wildschut & Stephen Hulbert, “A Seed Not Sewn: Prospects for Agrarian Reform in South Africa,” German Agro Action, Interfund & the National Land Committee, August 1998, 38.

However, seeing the negative impact that the property clause has created in Zimbabwe since independence, in South Africa, the property clause was disputed in the constitutional negotiations, by the African Nationalist Congress leaders, and was one of the last issues to be resolved during the political transition debates. The constitution in South Africa seeks to achieve a balance between the protection of existing property rights on the one hand, and constitutional guarantees of land reform on the other. However, the property clause provides for a clear constitutional authority for land reform while the equality clause provides clear authority for a program aimed to achieve substantial equality.

South Africa's governments was also persuaded to accept a settlement in which the land reform program will take place on a willing seller - willing buyer basis just as it was the case in Zimbabwe.⁶ However, when this is not possible, the government must be able to expropriate land required in the public interest. At the inception of the countries constitutions, it was stipulated that where land is acquired for land reform through purchase or expropriation, the state is obliged by the constitution to pay a 'just and equitable' compensation. The allocation of powers and responsibilities to the national governments in both countries have a fundamental impact on the implementation of land reform, including the administration of state lands. Also, all the three spheres of government and traditional authorities in both countries have functions which requires land administration. It is indeed the responsibility of national governments to ensure a

⁶Ray Bush & Morris Szeftel, "Commentary: The Struggle for Land," Review of African Political Economy, 84, June 2000, 173.

more equitable distribution of land, to support the work of the various organs of government and to implement a program of land tenure and land administration reform.

In formulating the land reform policy process in South Africa and also in Zimbabwe, both governments have endeavoured to take account of the widely conflicting demands of the various stakeholders and the implications of any specific course of action on the land market and investment. There are some black indigenous participants in both countries who demand that land should be taken from those who have too much of it and that it should be distributed free to the landless. They favor drastic government intervention to redistribute land. On the other side of the debate, there are white minority participants who insist that land should be allocated only to those who can prove that they can use it productively and that, private land is sacred and inviolable and should only be transferred on the basis of willing-buyer and willing-seller.

The challenge for both governments is to find a way of redistributing land to the needy, and at the same time to maintain public confidence in the land market. The reality is that the poor and the landless are not in a position to acquire land at market prices without assistance from the state.

In South Africa, land reform has not reach its full potential due to ineffective institutional capacity. Many of the legal instruments and procedures with which they had to grapple with were ill suited to land reform. Lack of staff capacity has been a continuing constraint as the public demands for land reform increase, and this has been a source of major concern.

The existing public land management system in the country is fragmented, uncoordinated, non-transparent and inequitable. For example, the land system lacks a coherent information process and is characterized by a lack of clarity in regard to the roles, responsibilities and policies of different institutions involved in the administration, planning and disposal of public land.

The need for a set of national norms and standards to ensure the effective use of state and public land as an asset to support land reform is long overdue for the country. Also, the budgetary system and its inherent tendency towards the creation of inter-departmental competition for resources, is in itself a disincentive for the coordination necessary for an effective land delivery system.

In South Africa, land reform process requires the participation of affected individuals and communities as partners in the process. Communities often experience problems gaining access to information about land reform policy opportunities and processes. Also, unorganized communities are not able to articulate a realistic demand for land. Informal initiatives such as land invasions are frequently perceived as more effective mechanisms for land release, especially in the context of slow public delivery in the country. Responsibility for natural resources management is spread over different national ministries, each carrying out their jurisdictions as specified by the specific Acts. This means that the institutional and legal frameworks have generally failed to facilitate integrated approaches to land use.

During the implementation phase, when actual land transfer occurs, government have the responsibility to provide assistance with farm credit, farm-inputs and marketing. Advise and assistance may be needed to facilitate the productive use of the land, as well as the provision of rural infrastructure such as water supplies, drainage, power supplies, and roads. In an urban context, assistance may be needed with the provision of services, such as transport facilities, social services, and local economic development opportunities. Primary responsibility for these developments in the country lies with provincial and local government. Land reform projects can be severely handicapped without this support.

The success of the land reform program thus hinges on the degree of cooperation between the different tiers of government and the extent to which there is a common vision of land reform and subsequent development. Over the past two years in South Africa, considerable progress has been made to develop a common understanding of the program and in establishing the institutional framework necessary to realize it.⁷ The government would need to expedite the implementation of its broader land policy formulation exercise with market-related land transfer mechanisms as called for by the land reform policy. Appropriate instruments, such as land taxation, intensive land use and skills development in the agricultural sector must be drawn into the forefront.⁸

⁷"White Paper on South Africa's Land Reform," Department of Land Affairs, 25.

⁸Sam Moyo, The Land Acquisition Process in Zimbabwe (1997/8), Harare: United Nations Development Programme, 1998, 57-59.

LAND REFORM POLICY AND ITS EQUITABLE SOCIAL MOBILITY OBJECTIVES IN SOUTH AFRICA

The current land ownership and land development in South Africa reflect the political and economic conditions of the apartheid era. Racially-based land policies were a cause of landlessness, poverty and insecurity among black South Africans. The post-apartheid government that emerged affirmed that its land reform policy is four-fold:

- 1) to redress the injustices of apartheid; 2) to foster national reconciliation and stability;
- 3) to underpin economic growth; and 4) to improve household welfare and alleviate poverty.

The government also envisage that the country's land policy must deal with the following issues in the urban and rural environments: the injustices of racially-based land dispossession; the inequitable distribution of land ownership; the need for security of tenure for all; the need for sustainable use of land; the need for rapid release of land for development; the need to record and register all rights in property; and the need to administer public land in an effective manner. In crafting its response to land needs, the government contend that:

Our land is a precious resource. We build our homes on it; it feeds us; it sustains animal and plant life and stores our water. It contains our mineral wealth and is an essential resource for investment in our country's economy. Land does not only form the basis of our wealth, but also our security, pride and history. Land, its ownership and use, has always played an important role in shaping the political, economic and social processes in the country. Past land policies were a major cause of insecurity, landlessness, homelessness and poverty in South Africa. They also resulted in inefficient urban and rural land use patterns and a fragmented system of land administration. This has severely restricted effective resource utilization and development. Land, is an important and sensitive

issue to all South Africans. It is a finite resource which binds all together in a common destiny.⁹

In view of these objectives, from 1994, the government through its department of Land Affairs developed a comprehensive land reform policy program that will enable national reconciliation, growth and development. The White Paper (a government document) on Land Policy is the culmination of two and a half year process that entails development, consultation and implementation. The Reconstruction and Development Programme (RDP) provides a set of guidelines and principles that gave direction to the initial process of formulating the land reform and programs. In May 1995, with almost a year of experience, the Department of Land Affairs issued a Framework Document on Land Policy.

The land policy that emerged in South Africa has as its central thrust land reform program which has three aspects: land redistribution, land restitution, and tenure reform. First, the land redistribution aims to provide the disadvantaged and the poor with access to land for residential and productive purposes. Its scope includes the urban and rural very poor, labor tenants, farm workers and new entrants to agriculture. Second, the land restitution covers cases of forced removals which took place after 1913. These cases are dealt with by the Lands Claim Court and the land Commission which was established under the Restitution of Land Rights Act, 22 of 1994. Third, is the land tenure reform which is being addressed through a review of present land policy, administration and

⁹Department of Land Affairs, "White Paper on South African Land Policy," Department of Land Affairs, Pretoria, April 1997, V.

legislation to improve the tenure security of all South Africans and to accommodate diverse forms of land tenure, including different types of communal tenure.

The success of land reform program is dependent on the provision of support services, infrastructural and other development programs, which is essential to improving the quality of life and the employment opportunity which may result from land reform. As a result, the government recognized that there is a need for constructive partnership between national, provincial and local level administrations. The government believes that successful delivery of land reform depends not only on an integrated government policy and delivery systems, but also on the establishment of cooperative partnerships between the state, private and non-governmental sectors.

The essential vision of land policy and land reform program in South Africa is to enhance reconciliation, stability, growth and development in an equitable and sustainable way. It presumes an active land market which is supported by an effective and accessible institutional framework. The land reform program also focus on alleviating poverty since it aimed at achieving a better quality of life for the most disadvantaged. It is the vision of land reform policy to facilitate urban lands that will enable the poor to have secure access to well located land for the provision of shelter. The government also aims to use land reform for economic development, by giving households the opportunity to engage in productive land use and by increasing employment opportunities through encouraging greater investment. Land reform which results in rural landscape with small, median and large farms are envisaged for development, "one which promotes both equity and efficiency through a combined agrarian and industrial strategy in which land reform is a

spark to the engine of growth.”¹⁰

There are also economic arguments for land reform apart from correcting past injustices and enhancing national reconciliation. Successful implementation of a land reform policy is considered a vital economic benefit for the society. First, government presumes that major cost savings resulting from a more rational use of urban land with efficient and speedy release of suitable land at the required rate and scale is a prerequisite for achieving the aims of the overall urban development strategy. Second, government believes that more households will be able to access sufficient food on a consistent basis due to land reform. Access to productive land will provide the opportunity for accelerated production of more food and cash for the purchase of food items. Third, land reform will create opportunities for small scale production. Comparative international research has affirmed that smaller sized agricultural units are often farmed more intensely, and are labor absorbing. Land redistribution program may be helpful to more than one hundred thousand small scale and subsistence farmers in South Africa who can expand their land resource base through purchase or lease. Fourth, South Africa’s government also believe that land reform can make a major contribution towards addressing unemployment, particularly in rural areas and small towns.

In rural areas, the rate of unemployment ranges from 40 percent among poor households to about 60 percent among the poorest. It is generally accepted that innovative strategies are needed to help rural people find work where they live, as a result, investment in agriculture and services has the potential to sustain many

¹⁰Tbid., 7.

livelihoods. Therefore, redistributive land reform and the provision of support services is central to the government's employment strategy and to reducing the cost of the welfare budget. Also, government believes that land reform will support business and entrepreneurial culture since property rights are critical for gaining access to capital for investment in entrepreneurial activity - either through selling the asset or through getting finance on the strength of it. From the governments point of view, the black population have been denied this economic opportunity, since blacks do not have formal titles as collateral for mortgages to secure credit for business start-up.

Finally, South Africa's government assumes that land reform can have important favorable environmental impacts in both urban and rural areas since tenure security is a precondition for people to invest in land improvements and encourages environmentally sustainable land use practices. However, the government is quite aware that redistributive land reform cannot in itself ensure national economic development, but it is a necessary condition for a more secure and balanced civil society. "It is an essential precondition for the success of government's growth, employment and redistribution strategy."¹¹ In contributing to conditions of stability and certainty, land reform is considered a necessary element of sustainable growth.

¹¹Ibid., 12-13.

THE ORIGINS OF LAND REFORM POLICY IN SOUTH AFRICA

The Land Reform Pilot Programme (LRPP) was established in 1994 as a Presidential Lead Project. The program is based on the understanding that land redistribution is part of a rural development strategy to address poverty and to allow a greater number of people to access the land market. The goal of the program is to develop an implementable national strategy for the redistribution of land and to test various land redistribution models. The program was also to establish mechanisms for state assisted entry into the land market for the most disadvantaged sectors of the rural society, especially women; and to test administrative structures and systems for the implementation of decentralized decision-making. Pilot districts were identified in every province, and the selected districts included areas where some of the most pressing current land needs and demands exist. The pilot projects were established in each of the nine provinces, and they are intended as initial testing grounds for redistribution policy and good practice.¹²

The Reconstruction and Development Program (RDP) committed the ANC to the aim of transferring 30 percent of land in the farming areas historically reserved for whites ownership to black smallholders within five years. The figure originated in the Options for Land Reform and Rural Restructuring in South Africa put forward by the World Bank in October 1993 at the Land Redistribution Options Conference in Johannesburg, the conference was organized by the Land and Agricultural Policy Center. The World Bank took the lead in the early stages of preparing the Rural Restructuring Program (RRP)

¹²Delien Burger, ed. South Africa Year Book 1997, Cape Town: Rustica Press, 1997, 404.

for South Africa. It funded a series of reports, which were designed to contribute to the program, which involved over a hundred social scientists and lawyers.¹³

The ANC's Reconstruction and Development Programme was adopted as a post-apartheid development guideline by policy-makers and politicians all across South Africa. The RDP components concerned with land and agrarian reform are derived from the World Bank's RRP and the ANC's Ready to Govern Policy Statement. The government of National Unity (GNU) "has adopted a hybrid of the Bank and RDP positions in developing a land-reform strategy. This is evidenced in the Department of Land Affairs' Our Land: Green Paper on South African Land Policy."¹⁴ This policy document which was circulated to the public for comment is a synthesis of World Bank and ANC ideas.

In South Africa, the Land Reform program is presently being implemented by the Department of Land Affairs (DLA). The department's land reform program is currently constrained by numerous factors, such as political fragmentation of the new state, institutional change and inertia, the legacy of apartheid property rights, and the acceptance of market-led land redistribution. These realities were probably not fully grasped when the process of land policy formulation within the ANC began in 1990, after

¹³Gavin Williams, "Setting the Agenda: A Critique of the World Bank's Rural Restructuring Programme for South Africa," Journal of Southern African Studies, March 1996, 22:1, 139-140.

¹⁴Richard Levin, Daniel Weiner, "Towards the Development of a Popular and Participatory Rural Land Reform Program In South Africa," in Richard Levin and Daniel Weiner, eds. "No More Tears..." - Struggles for Land in Mpumalanga, South Africa, New Jersey: Africa World Press, Inc., 1997, 253-254.

the organization was unbanned.¹⁵

The World Bank, in collaboration with the United Nations Development Program (UNDP) and several groups within South Africa then initiated a workshop in Swaziland in November 1992, in which international experience in areas relating to land and agriculture was discussed. At the meeting, World Bank consultants advocated for urgent implementation of land reform in a post-apartheid South Africa. The consultants rationale for land reform is to meet the “expectations of a potentially militant rural population and hence avoid the possibility of widespread rural instability and even rebellion.”¹⁶ Two World Bank consultants, Hans Binswanger and Karl Deininger, made a “strong plea in favor of a rapid and large-scale land reform program.”¹⁷ They maintained that:

Based on international experience, South Africa seems to have two options: rapid and massive redistribution of land to black and coloured groups, which would involve substantial resettlement from the homelands onto land now in the commercial sector; or decades of peasant insurrection, possible civil war, combined with capital flight and economic decline.¹⁸

On the land reform’s ‘Green Paper,’ the Department of Land Affairs consulted widely for inputs and contributions among civil society. This led former Lands and

¹⁵Ibid., 254.

¹⁶Ibid., 255

¹⁷Hans P. Binswanger and Karl Deininger, “South African Land Policy: The Legacy of History and Current Options,” World Development, 1993, 21:9, 1451.

¹⁸Ibid., 1466.

Agriculture, Minister Hanekom to state that the “policy proposals made in the document are not the product of an academic exercise, but are the outcome of an extensive process of public consultation around land policy issues.”¹⁹ The Department of Land Affairs hosted a major National Conference on Land Policy in August-September 1995, attended by hundreds of delegates from the country. At the conference, a common theme that emerged out of inputs from the gathering was a rejection of market mechanisms and of the concepts of buying land as the primary mechanism of land acquisition. Contrary to the conference themes, the Green Paper states that “Redistributive land reform will be largely based on willing-buyer, willing seller arrangements.”²⁰ In line with the RDP, the Green Paper affirms that the government’s response to land reform has three elements²¹:

- (1) Land Redistribution - a broad based program which aims to provide the disadvantaged and the poor with land for residential and productive purposes. The redistribution scope includes the urban and rural poor, labor tenants, farm workers as well as new entrants to agriculture.
- (2) Land Restitution - provides for cases of forced removals which originate since 1913. The Lands Claim Court and Lands Commission, established under the Restitution of Land Rights Act, in 1994, are primarily responsible for the program.

¹⁹Levin and Weiner, “Towards the Development of a Popular and Participatory Rural Land Reform Program In South Africa,” 260.

²⁰Ibid., 261.

²¹Ibid.

- (3) Land Tenure Reform - is presently addressed through a review of present land policy, administration and legislation to improve the tenure security of all South Africans and to accommodate more diverse forms of land tenure, including types of communal tenure.²²

THE STRUCTURE OF LAND CONTROL AND ACCESS IN SOUTH AFRICA,

In the last five years, new initiatives have emerged on land policy in South Africa that is aimed at eradicating the imbalance of land ownership in the country strictly on racial lines. The pace of land reform has been slower than anticipated in 1994, and mistakes have been made along the way, the Department of Land Affairs has come to the realization that new measures must be introduced to enhance a steady progress with land reform. Based on lessons learned in the initial years of implementation, new directions were established in 1998 for each of land reform's three principal programs, land redistribution, land restitution and land tenure reform.²³

LAND REDISTRIBUTION

The land redistribution program, as earlier indicated, is to provide the poor with land for residential and productive purposes.²⁴ The program is earmarked for the poor, labor

²²Department of South African Land Affairs, "Our Land: Green Paper on South African Land Policy," February 1, 1996.

²³Annual Report Editorial Committee, 1998 Annual Report: Department of Land Affairs, Cape Town: CTP Book Printers, Ltd., 1999, 103.

²⁴"White Paper on South African Land Policy," 36.

tenants, farm workers, women and emergent farmers, as it creates opportunity to access land for the masses. The redistribution of land is based on willing-buyer willing-seller arrangements, which seeks to entrench the free market principles, as in Zimbabwe.²⁵

Government is to assist in the purchase of land, but will generally not be the buyer or owner. Rather it will make land acquisition grants available and will support and finance the required planning process. In some instances, communities will be expected to pool their resources to negotiate, buy and jointly hold land under a formal title deed.

Opportunities are also available for individuals to access the grant for land acquisition.

The government in its quest to continue to improve the pace and quality of the land reform program in South Africa decided to increase the Settlement and Land Acquisition Grant (SLAG) for land purchase. The level of this grant was increased from R15,000 (South African Rand) to R16,000 per qualifying person and there is a pro-rata increase in the 9 percent planning grant. The Settlement and Land Acquisition Grant can now be used to make payments for equipment that increases the productive value of land, permanent improvements on the land and to purchase agricultural inputs to be used in agricultural production and settlement. In order to further enhance the land redistribution process, the Department of Land Affairs has embarked on the process of developing policy and procedures that will make it possible for land reform beneficiaries to access the various grants through the Land Bank in projects where loan funds are simultaneously raised from the Bank. A supply-led policy is also being developed to

²⁵Herald Winkler, "Land Reform Strategy: New Methods of Control," Review of African Political Economy, September 94, 21:61, 445-446.

allow the Minister to buy land and later dispose it to beneficiaries who may not have been finally identified at the time of purchase.

The challenge for government has been to devise and implement a program that will respond even-handedly to each segment of the land market in order to provide access to the range of clients seeking to obtain land: from the poorest, especially female-headed, single parent families to emergent black entrepreneurs. The program also needs to accommodate different land uses. Rather than allocate different levels of resources to different beneficiary groups, all eligible applicants are provided with the same level of state support in terms of the level of grant awarded. While seeking to give priority to groups of poor households, government also recognizes the importance of encouraging individual enterprise and initiative.

To further the progress of the land reform program, South Africa's government had since initiated a number of grants and services. In varying degrees and in different ways, the grants and services are applicable to the three land reform programs. In addition to the Settlement/ land Acquisition Grant, the following grants were also instituted. One, is the grant for the Acquisition of Land for Municipal Commonage for local authorities to acquire land for agricultural lease schemes and commonage for residents of towns and villages. Second, is the Settlement Planning Grant, this helps to enlist the services of planners and other professionals, that assist applicants in preparing projects and settlement plans. Third, is the grant for determining Land Development Objectives (LDOs), for resource-poor local authorities to enlist the services of planners for planning land reform, settlement and formulating development objectives. Fourth, is

the Facilitation Services which ensure that grant applicants have access to the necessary information and are able to maintain access to appropriate services and assistance. Fifth, is the Training and Capacity Building, this encourage people to become actively involved in the land reform process and equips both grant applicants and service deliverers to participate more effectively. And finally, Dispute Resolution Services to prevent and, where necessary, to help resolve land and land related conflict.²⁶

In setting its land redistribution operating guidelines, the Department of Land Affairs emphasized that its commitment is to help communities identify land and adopt practical and strategic needs in land use, obtain support and grants, acquire rights to appropriate land and, convert land when appropriate into an economically and environmentally sustainable settlement. However, financial commitment to land reform has been low. In May 1996, the Minister of Agriculture and Land Affairs announced that land reform would consume a maximum of 2 percent of the budget or R3 billion when it reached its peak. Contrary to this pronouncement, less than R400 million has been budgeted for land redistribution and restitution programs.²⁷

LAND RESTITUTION

The second segment of the land reform program in South Africa is the Land Restitution policy. According to the Green Paper, its aim is to restore land and provide other restitutionary remedies to people dispossessed of land by racially discriminatory

²⁶"White Paper on South African Land Policy," 40-41.

²⁷Burger, South Africa Yearbook 1997, 404.

legislation and price, in such a way as to provide support to the vital process of reconciliation, reconstruction and development. The Restitution of Land Rights Act, 1994 (Act 22 of 1994) was signed by former President, Mandela on November 16, 1994. The Act provides for the establishment of an independent Commission on Restitution of Land Rights as well as a Claims Court. The Constitution also provide a legal framework for the resolution of land claims against the state, where possible through negotiated settlements. A restitution claim qualifies for investigation by the Commission on Restitution of Land Rights provided that the “claimants was dispossessed of a right to land after June 19, 1913 under, or for the object of furthering the object of, a racially discriminatory law, or was not paid just and equitable compensation, if expropriated under the Expropriation Act, 1975 (Act 63 of 1975).”²⁸

Claims arising from dispossession prior to 1913 may be considered by the Minister for Agriculture and Land Affairs in terms of preferential status in the Land Redistribution Program if the claimants are disadvantaged and will benefit substantially from such support. Redistribution may take the form of restoration of the land of which claimants were dispossessed, payment of compensation, provision of alternative land, priority access to government housing and land development programs and alternative relief comprising a combination of the above. The state will compensate certain successful claimants in a just and equitable way where restoration or other remedies are not appropriate. The Green Paper proposes a formula for calculating such compensation. In general, the Green Paper proposes a systematic method for calculating restitution

²⁸Ibid., 402.

compensation and landowners who are expropriated for the purposes of restoring land to successful claimants may be compensated.

Restitution policy is guided by the principles of fairness and justice, based on the recognition that solutions must not be forced on people. The Department of Land Affairs and the Commission are to encourage claimants and others to come together to resolve claims. When this cannot be achieved, the Land Claims Court is to decide the case in accordance with the provisions of the Constitution and the Act. The restitution program activities fall under four main sub-heads. First, is processing of Land Claims, which requires the Commission to publicise the land restitution process, assist claimants with making claims and prioritize claims. The Commission is to investigate and mediate claims, resolve both group and individual claims through the facilitation of negotiated solutions. The Department of Land Affairs is to represent the state's interest and advise the Minister on the feasibility of land restoration. The Department is also to make its research capacity available to the Commission and will coordinate the restitution policy. Second, is the implementation of court orders. The department is responsible for the implementation of the court orders, directly or through specific designated bodies and will monitor implementation. Third, is the claims outside the Restitution of Land Rights Act which requires that the Department will devise a framework and procedure for claims and demands that fall outside the Act. Fourth, is the issue of communication, which charge that the department will coordinate and publicize the restitution process and coordinate its activities with statutory and non-statutory organizations involved in the program.

On the issue of compensation, this is two-fold; one, is the compensation to claimants and two, is the compensation to land owners. On compensation to claimants, the state will have to compensate certain successful claimants where restoration or other remedies are not appropriate. These claimants would be persons who have land rights which were taken from them with inadequate or no compensation. Section 123(4)(a) reads as follows:

The compensation... shall be... just and equitable taking into account the circumstances which prevailed at the time of the dispossession and all other factors as may be prescribed by the (Restitution of Land Rights Act, 1994) Including any compensation that was paid upon such dispossession. ²⁹

For compensation to land owners, sections 28(3) and 123(2) of the Interim Constitution. Section 123(2) provides that where land is expropriated for compensation, this should be subject to the payment of just and equitable compensation. According to section 28(3), the relevant portion states:

where any rights in property are expropriated such expropriation shall be subject to the payment of agreed compensation or, failing agreement, to the payment of such compensation and within such period as may be determined by a court of law as just and equitable, taking into account all relevant factors, including, in the case of the determination of compensation, the use to which the property is being put, the history of its acquisition, its market value, the value of the investments in it by those affected and the interests of those affected. ³⁰

²⁹"White Paper on South African Land Policy," 49-53.

³⁰*Ibid.*, 54.

The basic principle of compensation is that while an owner should be fairly compensated for what they paid for or invested in the land, they should not make a profit at the expense of the public. This principle remains the same in the Constitution, therefore it is the Courts and not the Department, that have the power to determine what is just and equitable compensation. However, the Department has a mandate and an obligation to enter into negotiations with the relevant players to try to settle the issue of compensation prior to referral of the matter to the Courts.

From 1994 to December 31, 1998, which is the cut-off date for lodging restitution claims, according to the May 1999 report of the Acting Chief Land Claims Commissioner, for the Commission on Restitution of Lands Rights, a total of 63,455 claims have been lodged as at January 31, 1999.³¹ The restitution "Stake Your Claim" 1998 campaign, a campaign to inform potential claimants of their rights to lodge claims before December 31, 1998 was implemented by the Department of Land Affairs in conjunction with the National Land Committee and the Commission on the Restitution of Land Rights. Extensive use of the national and regional radio stations and television was used to reach all parts of South Africa, including the remotest communities in the rural areas in order to inform citizens of the restitution program and its cut-off date. Face -to-face encounters in workshops, rallies and road shows were organized in townships and rural communities throughout the country to encourage those that have lost land after 1913 to file a claim, so that the Lands Claim Commission can validate such claims for

³¹Report of the Acting Chief Land Claims Commissioner, on the Commission on Restitution of Land Rights: A National Profile of the Restitution Process, May 1999, 1.

future compensation and land redistribution.³²

LAND TENURE

The third, segment of the Land Reform program in South Africa is the Land Tenure Policy. This is a legal process which involves interests in land and the form that these interests will take. The solutions to these problems entails new systems of land holding, land rights and forms of ownership and all these have far reaching implications. Constraints facing current land reform includes: limited public funds for land purchase; limited skills for the implementation of land tenure; limited areas of arable land; and the difficulty of unscrambling the homelands: areas of land struggle, densely populated, lacking in services, and often agriculturally marginal.³³ The objective of Land Tenure Reform Policy is to extend security of tenure to all South Africans under various forms of tenure. Tenure security “will enable citizens to hold and enjoy the benefits of their land, their homes and their property without fear of arbitrary action by the state, private individuals or institutions which undermine that security.”³⁴ In South Africa, tenure reform must address difficult problems created in the past. It must undo the apartheid era laws relating to land administration.

³²1998 Annual Report, 104.

³³Adams, “Land Reforms,” 6.

³⁴Burger, South Africa Yearbook, 406.

The guiding principles of tenure reform,³⁵ are thus to ensure that tenure move towards rights and away from permits. The tenure law must recognize the value of both individual and communal systems and allow for the voluntary registration of individual rights within communal systems. The law is to be neutral on the issue of traditional authorities, it would support them where they are popular and functional, and allow people to replace them elsewhere.³⁶ This entails a commitment to the transformation of all permit based and subservient forms of land rights into legally enforceable rights to land. Also tenure reform must allow people to choose the tenure system which is appropriate to their circumstances.

As the governments imposed various forms of tenure with disastrous results in the past, which led to apartheid laws and uneven economic development on racial lines, there is a new commitment to support and develop a mixture of tenure options which people may then choose from. Tenure reform also aims to build a unitary non-racial system of land rights for all South Africans. This entails a commitment to provide an enduring system of land support, registration and administration which accommodates flexible and diverse systems of land rights within a unitary framework. This includes eradicating the second class systems of tenure developed exclusively for black people. In addition, there is a provision that all tenure systems must be consistent with the Constitution's commitment to basic human rights and equality; that is, group based tenure systems must deliver the rights of equality and due process to their members.

³⁵"White Paper on South African Land Policy," 56-60.

³⁶Adams, et al., "Land Tenure Reform," 7-8.

To deliver security of tenure, a rights based approach has been adopted in South Africa. Due to overcrowding and the legacy of forced overlapping of rights, there is a risk that tenure reform and upgrading could result in dispossession and heightened insecurity for those who are currently most vulnerable. To avoid this, all tenure reform processes must recognize and accommodate the de facto vested rights which exist on the ground. Such vested interests may include legal rights and interests which have come to exist without formal legal recognition. In situations where overlapping and conflicting rights make it impossible for different vested rights to be upgraded within one area, it will be necessary to accommodate vested rights on additional land. The Settlement/Land Acquisition Grant or other appropriate compensation may be used to assist people to acquire land in instances where others have stronger right to the land which is currently occupied.

Finally, new tenure systems and laws is to be upgraded realistically as it exists on the ground and in practice. The recognition of de facto systems of vested rights in land as a starting point for solutions is fundamental to tenure reform. Adjudicatory principles are being developed to measure current interests in land, and commensurate entitlements to tenure rights, either on currently occupied land, or elsewhere. The tenure reform assumes that the most basic form of vested rights in land is established occupation. This is not to be jeopardised unless viable and acceptable alternatives are available.

The new Constitution guarantees that :

[Section 25(6)] A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent

provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress....[Section 25(9)] Parliament must enact the legislation referred to in subsection(6)³⁷

These constitutional guarantees put the Department of Land Affairs under a constitutional obligation to develop laws and regulations which sets the types of vested interests in land, those that were undermined by discriminatory laws and a mechanism to convert such interests into legally secure tenure rights. The rights based approach and adjudicatory principles are being developed to fulfil this task.

In the final assessment, a Land Rights Bill with three main aims was proposed in South Africa. First, to secure land rights as it provide most people with established occupation, use or access rights to land which are legally enforceable. Second, to protect human rights under group systems with measures and procedures which will protect the basic human rights of co-owners and those with shared land rights within a system which balances group and individual rights. The two most important rights in this context are the right to democratic decision making processes in respect of shared rights to land and the right to equality. Finally, is overcrowding and overlapping land rights with measures to resolve disputes and conflict arising out of forced overcrowding and overlapping of land rights. It is to provide redress, including additional land and other resources to those whose land rights have been so undermined by past racially discriminatory laws and

³⁷The Constitution of the Republic of South Africa, Act 108 of 1996, as adopted on May 8, 1996 and amended on October 11, 1996 by the Constitutional of the Republic of South Africa Amendment Act, 1997.(Act No. 35 of 1997), 12.

practices that functional security and stability are compromised.³⁸

PROPERTY RIGHTS AND THE NEW CONSTITUTION

Rights to property have in the past been overridden grievously where blacks have title to land³⁹. Thus, the ANC in 1992 after it was unbanned, concluded that it would be prudent to design a legal mechanism to address the land issue. In the meantime, multi-party negotiations for a peaceful and democratic solution to the national question continued, with the history of removals ensuring that the debate on property rights featured centrally in the discussions. A key challenge for negotiators is whether or not to enshrine the rights in a future constitution. A major fear among opponents of such an entrenchment is that existing property rights would be effectively protected. At the same time, "property rights, historically denied to the black majority by apartheid, were seen as a fundamental human right."⁴⁰

Notwithstanding the dilemmas, the South African constitution in 1994, included property in its Fundamental Rights Chapter. The constitution however allow for the establishment of a statutory land claim court. Moreover, these interim constitution provides for the protection of the rights of current property holders under the bill of

³⁸"Land Rights Bill," Tenure Newsletter, Department of Land Affairs, Volume 2, January 1998. 3-4.

³⁹Williams, "Setting the Agenda: A critique of the World Bank's Rural Restructuring Programme For South Africa," 139-169.

⁴⁰Richard Lenin, "Land Restitution And Democracy," in Levin and Weiner, eds. "No More Tears..." -Struggles For Land in Mpumalanga, South Africa, 241-242.

rights. The negotiated settlement which produced this constitution entailed compromise on both sides. Chapter 8, Sections 121 -123, includes a section on Land Rights. This provision entails the restitution of rights in land through the establishment of the Land Commission. The Restitution of Land Rights Act clause was put into effect in November 1994.⁴¹

THE POLITICS OF LAND REFORM

In South Africa's mature industrial economy, agriculture contributes only 5 percent of the gross domestic product and 15 percent of formal employment. At least one-quarter of the black population is dependent on agricultural and rural resources for subsistence. More than 90 percent of gross farm income and 97 percent of agricultural export commodities are produced by white settler farmers and agricultural corporations. More than 80 percent of white farmland is used for livestock grazing while only half of the 10.6 million hectares under cultivation are used for basic food crops.⁴²

The blacks are not participants in the agricultural economy in South Africa. Black farm workers and laborers continue to lose their jobs along with limited access to land work. Also, the bantustans (South Africa's semi-autonomous black enclaves) have not been dismantled and white-owned farms continue to monopolize the best land and agricultural production. This has led the blacks to demand democratic control and public

⁴¹Ibid., 243-244.

⁴²Daniel Weiner, "The Land Question in South Africa," in Prosterman, Roy Prosterman, Mary Temple, Timothy Hanstad, Agrarian Reform and Grassroots Development - Ten Case Studies, Ibid., 294.

accountability. Agricultural corporations are seen as white institutions that are not committed to developing black agriculture. Therefore, "Black small-holders do not want to be "developed" by "experts." They want greater access to land and water, and the opportunity to participate in the development process."⁴³

The current process of political transformation in South Africa has led to heightened tensions between white farmers and black labor tenants as these tensions center on the question of who owns the land. At issue is the notion of absolute private ownership of property and how it constrains the possibilities for future land and agrarian reform considering events of the last two decades. In the early 1980s, forestry companies started expanding their activities by acquiring more land. They bought land off white farmers in areas where tenancy existed and this affected social relations that had existed for generations on the farms as labor tenants were forced to change their patterns of land use. The expansion of the forestry corporations meant that labor tenants had to make way for the planting of more trees. As a result, thousands of labor tenants have either been evicted or served with eviction notices during this periods. ⁴⁴

Labor tenants lay claim to land in South Africa through historical heritage. In contrast, white farmers and forestry companies asserts land rights through ownership of title. The racial order of land allocation has generated resistance to change by farmers.

⁴³Richard Levin, Daniel Weiner, "Land Reform in the New South Africa," Earth Island Journal, Summer 94, 9:3, 28-35.

⁴⁴Abie Dithlake, "Labor Tenancy And The Politics of Land Reform in South Africa," in Levin and Weiner, eds. "No More Tears..." - Struggles for Land in Mpumalanga, South Africa, 220-224.

Apartheid policies have created a rural white power bloc in South Africa which feels threatened by the prospects of meaningful land reform. White farmers want to ensure that their existing land rights are protected. On the other hand, labor tenants have started building structured political base among themselves as they began to realize that individual and isolated struggles are a major weakness in their situation.⁴⁵

This has facilitated the formation of committees on farm for black labor tenants. These committees have since played an important role in bringing isolated resistance struggles together. The emergence of open resistance among labor tenants generated a violent reaction from white farmers in South Africa who realized that labor tenants were no more indifferent to the way they treat them. Thus, black labor tenants has began to retaliate when white farmers assaulted them. In 1993, in Zaaihoek farm, black labor tenants tied a firm manager to the tree and assaulted him after he insulted a worker. Due to incidence as this, white farmers are been forced to meet with black labor tenants to discuss issues that labor tenants feel needs attention.⁴⁶

LAND REFORM ACCOMPLISHMENTS IN SOUTH AFRICA

The land redistribution program in South Africa is relatively new for substantial measurement in terms of practical success. However, the aim is to provide a range of experimental approaches which would then generate to learning experience for the

⁴⁵Ibid., 225-227.

⁴⁶Ibid., 227-229.

country. The program is designed in such a way that would allow groups and communities of would be beneficiaries to take the initiative to form a group, and eventually a legal entity, that could be assigned ownership of the land; they may also indicate a targeted piece of land or type of land that they are seeking; and on that basis apply for a grant to make the purchase.

The most concrete measure of the achievement in the Department of Land Affairs is in the actual projects that have been initiated and processed. Land redistribution has been the main area for projects, and given the nature of the grant/application system, and the often vague aspirations around which initial proposals are framed by beneficiaries, large numbers of projects lodged at the early formulation stages never come to be realized. Therefore, Department of Land Affairs offices have portfolios with large numbers of projects on their books. In mid-1999 when the new Minister called a moratorium on new projects, most of these portfolios were still at the pre-transfer stages. Significant progress with this backlog has been achieved up to March 2000 when the moratorium was lifted.⁴⁷ Also, on the land restitution, less than 10 percent of the 63,455 land claims have been settled. Only 41 claims were settled between May 1994 and March 1999, before the appointment of Wallace Ngogi as chief Land Claims Commissioner. In “the subsequent 18 months, however, the number of claims settled has zoomed to 6,523, benefitting 76,000 individuals.”⁴⁸ Table 2 illustrates the provincial activities.

⁴⁷Cliffe, “Land Reform in South Africa,” 278-279.

⁴⁸Kate Dunn, “Learning From Zimbabwe’s Bitter Lessons,” Christian Science Monitor, September 15, 2000, 92:206, 8.

Table 2: Designated Projects , Beneficiaries, & Areas by Province in South Africa (mid-November 1999).⁴⁹

Province	Number of Projects	Beneficiary Households	Women-Headed Households	Area of Land (ha)
Eastern Cape	49	17,047	1,093	51,555
Free State	130	3,465	548	56,042
Guateng	20	1,464	581	5,426
KwaZulu Natal	52	6,024	543	156,839
Mpumalanga	42	7,642	1,109	29,427
Northern Cape	50	3,667	684	334,008
Northern Province	34	4,966	1,771	26,012
North West	30	8,700	433	13,532
Washington Cape	<u>40</u>	<u>2,449</u>	<u>498</u>	<u>41,566</u>
Total	<u>447</u>	<u>55,424</u>	<u>7,260</u>	<u>714,407</u>

These totals include 46 Commonage Projects and 35 Equity schemes.

The latest figures supplied by DLA, until mid-November 1999, are summarized above. This numbers indicated that the number of designated projects was officially 447, benefiting over 55,000 households on land totalling 0.7 million hectares. The majority of

⁴⁹Cliffe, "Land Reform in South Africa," 280.

these projects are of the mainstream land redistribution type, and they contain significant numbers of equity (joint ventures of registered groups with commercial farmers) and commonage (transfer of mainly peri-urban state land for use as common grazing and other uses by residents) projects. Project numbers of security to labor tenants and restitution cases are not included in these table.⁵⁰

CONSTRAINTS TO THE POOR PEASANTS PARTICIPATION IN SOUTH AFRICA'S LAND REFORM

Land redistribution is being characterized as poverty policy for South Africa. Given that well over half of black rural people are poor and that they account for 71 percent of the poor households in South Africa. There is unquestionably a need for an anti-poverty program that is specifically targeted to the rural poor. At the same time, given South Africa's history of racial land expropriation, there is a political need for a racial restructuring of agricultural land ownership. This coincidence of policy goals - economic in terms of poverty alleviation and political in terms of racial restructuring - makes land redistribution an attractive, even irresistible, program to all who take an interest in rural South Africa.⁵¹

Several barrier, however, stand in the way of poor households' participation in South Africa's land redistribution program. These barriers are - the level of risk to be

⁵⁰Ibid.,

⁵¹Frederick J. Zimmerman, "Barriers to Participation of the Poor in South Africa's Land Redistribution," World Development, January 2000, 28:8, 1439-1460.

borne by potential beneficiaries; the up-front costs; the education and farming skills required for modern, variable farming; the need for rural services such as reticulated water and power to alleviate binding labor constraints; and the difficulties of potential long-term moves. Significant numbers of the poor lack the necessary available household labor, they also lack the necessary farming-specific human capital, or cannot afford the up-front, out of pocket expenses of the programs. For the poor, participation in land reform is certain to include substantial direct and indirect up-front costs to the beneficiaries in terms of money and labor. Such costs will include direct program participant costs, moving costs, the cost of new equipment, application and search costs and necessary land improvements. These costs will serve as a barrier to participation by the very groups that the land redistribution would like to benefit. More of the poor will be deterred by the riskiness in several dimensions of the program, some will be reluctant to move the long distances implied by the scope of the redistribution.⁵²

From a policy proposal initiative, demand-led targeting - proposed in the White paper, which articulates a commitment to the willing buyer - willing seller model - has emerged as the official default selection mechanism, thereby implicitly separating land redistribution from poverty alleviation. A barrier under the demand-led scheme is that the wealthier segments of the rural population will prove more apt to participate, and will therefore be the major beneficiaries, while the poorer segments will be left largely without program benefits. Such a failure of targeting would not be unique to the land reform program. Former Minister, Derek Hanekom has been quoted as saying, “We need

⁵²Ibid., 1442 -1445.

a major shift from land reform to land reform plus other things.”⁵³ These other things include rural job creation, intensive management assistance, and public infrastructure development. Thus, with such programs in place, selection of beneficiaries of the land redistribution need no longer be demand-led, but rather targeted to the poor, disenfranchised and women. These constraints are not impossible to be surmounted, as careful government policies - to provide extension and capital, can overcome each of these barriers.

⁵³Ibid., 1454 - 1455..

Chapter 5

THE ENDURING REALITIES OF LAND REFORM POLICY IN ZIMBABWE AND SOUTH AFRICA.

It is important to start by considering the nature and uses of public policy in the land reform policy process. It has since been affirmed by scholars that modern society without policy in all areas of life is almost unthinkable. Public policy serves the function of providing accountability and transparency. It minimizes irregular and unpredictable behavior by the powerful, and gives the electorate a basis upon which to evaluate the performance of those elected to public office. "In a democracy, policy is a tacit social contract between government and the governed about what is going to be done, by whom, for what purpose, and within the parameters of public resources and in the public interest. Policy lays the basis for public decision-making, and describes the parameters in which elected officials may act."¹

Democratic public policy also provides the framework and guidelines for public officials on the nature of social contract between the politicians and the voters, and on their own role. This facilitates a situation where the daily business activities of the state is left to the personal views, insights, and capabilities of appointed officials. Public policy also gives the public a degree of certainty in evaluating the performance of public officials when carrying out the functions and processes of land reform. In essence, that is the major reason for this study to assess the paradigm that is unfolding, when:

¹Adele Wildschut & Stephen Hulbert, "A Seed Not Sown: Prospects for Agrarian Reform in South Africa," German Agro Action, Interfund & the National Land Committee, August 1998, 34-35.

At the end of the first ten years, the euphoria of independence has turned into harsh reality. Today, people worry about the suppressed inflation, the stagnant job market and declining services; nonetheless, expectations for Zimbabwe's development are high.²

ISSUES AFFECTING LAND REFORM POLICY IN ZIMBABWE AND SOUTH AFRICA

In both Zimbabwe and South Africa, land reform policy is still attempting to attain the stated goals that was set at independence because the crisis of the state has been a dominant issue for development. Manifestations of this crisis are more visible in the area of bureaucratic inertia, institutional incapacity, ineffective personnel, high turnover rate of professional staff and the inability of the state institutions to initiate or implement land reform policies independently. As economies in both countries depend on agricultural commodities, the state's insatiable appetite for agricultural revenue, the economic effect of structural adjustment programs and natural problems such as drought, all combined to undermine the effective implementation of the land reform policy process.³

The new political economy of land in Zimbabwe and South Africa is

²Virginia Curtin Knight, "Zimbabwe A Decade After Independence," Current History, 89:547, May 1990, 201.

³Korbla Puplampu & Wisdom Tettey, "State-NGO Relations in an Era of Globalization: The Implications for Agricultural Development in Africa" Review of African Political Economy, 84, June 2000, 251.

characterized by a broadening of increasingly interlinked state and non-state organizations which contest the ownership and use of land and natural resources, and they also compete over the material input and output markets related to land.⁴ These actors which include state organizations engaged in regulating land markets, production processes and commodity markets which have evolved into a new and more complex organizational structure. Indeed, the new organizational strategies reflect new forms of external financing (aid, trade related support and lending), new conceptions of development based upon market forces, the changing character and capacity of the state at the central and local levels, and the spatial repartitioning of land control and its uses. Many organizations ranging from government to private, NGOs and community formulations are central to the evolution of new land uses, and to the consolidation of Zimbabwe and South Africa's particular configuration of the land issue.

There are too many government agencies involved in the land policy in Zimbabwe and South Africa. Looking at the political actors, Zimbabwe's government at the central level has 10 different agencies ranging from environmental, agricultural, financial and marketing or trade organizations involved with the three new land uses. At the local level, each district has at least three state related structures, including the councils, ward and village committees that are engaged in promoting or regulating new land uses. The field officials of the 10 central agencies are also represented locally. Zimbabwe has different types of land user and related private sector interest groups which are divided between

⁴Sam Moyo, "The Impact Of Structural Adjustment On Land Uses In Zimbabwe," *African Development*, xx, 1995, 36-37.

those which represent white large scale formal sector, such as hunters, market agents and farmers; and those which represent black indigenous small scale farmers who are inclined to the more formal land use sector activities. Also, NGOs exhibit racial and class divisions, with the high profile NGOs engaged in policy influence that tends to be externally and to some extent white dominated.

Likewise in South Africa, there are more efforts and inputs at policy /legislation formulation than on implementation. Several national departments play a role in the land implementation process and the number of people already employed by the national Department of Land Affairs has vindicated this. In essence, there should be a clear process of decentralizing land administration from provinces to local government. In the absence of a clear process, provinces which have vested interests might hold on to its function in pursuit of their own agenda. Currently, the communal land rights of many South African blacks living in the rural areas are held in trust by the state and there are movements interested in the ownership rights to be transferred to the community level. However, several issues arise in carrying out such transfers. An obvious question relates to who or to what entity land should be transferred.⁵

Zimbabwe's land acquisition process embodies scarcities of land, exorbitant prices of available land and the inability of the government to pay the high prices for land are serious drawbacks on the capacity of the government to resettle the landless families which it had targeted. This led to the 14th Constitutional Amendment and the

⁵Sihle Mkhize, "The Land Policy - Why It Must Change," *AFRA News*, vol. 41, July 1998, 10.

promulgation of the Land Acquisition Act of 1992. Whilst it provides for fairness and justice, the Land Acquisition Act puts in place processes and procedures that are cumbersome and expensive. The inter-ministerial approach to program implementation and the diffused decision making process that this entailed resulted in inefficient program execution. For example, at the technical level several departments were involved in the program. Apart from lack of experience in the area of resettlement on the part of government as a whole, these departments were dogged by logistical problems in particular shortages of technical and professional staff, vehicles and equipment. The general situation relating to input supply and marketing was generally unsatisfactory and this was caused by a deteriorating credit facility, inadequate infrastructure for marketing, poor road network and lack of transport means.

In South Africa, the National Land Committee, in its multi-pronged research project challenged the government's land reform program on the basis that its market-based restrictions, misconceived legislation, narrow legal definitions and a lack of co-ordination between different government departments are some of the obstacles affecting the program. It was indicated that the average price of land per hectare has risen an average of 2 percent annually in real terms during the three years of land reform because of high demands. As a result, they emphasized that "the redistribution of farmland in ex-homelands, the disposal of vacant state land, and the expropriation of unutilized, underutilized and indebted farms are very popular options. Land ceilings may also be used to meet the required farmland demand. [And land taxes] can be a source of revenue for the redistribution program." In essence, most critics noted that "some of the problems

lie at the door of politicians, policy-makers and the process itself.”⁶ This led to the Minister for Agriculture and Land Affairs, Derek Hanekom, to confirm that “ we will never meet the Reconstruction and Development Programme promise to redistribute 30 percent of the country’s land to black hands in five years.”⁷ He attest that this was a broad aim, not a promise, and was never adopted as a policy.

In Zimbabwe and South Africa, the substantive basis for interest group differentiation reflects the historical and continued racially unequal structure of control, access and ownership to land and other rural productive resources, and the control over capital and commodity markets. Economic lobby organizations at the national scale varies racially. The black organizations tend to canvass a wider population base, especially the small farmers in Communal Areas, and to seek policy support from urban workers, while the Commercial Farmers (CFU) and other sectoral farmer associations, represent a smaller white population in the Large Scale Commercial Farm (LSCF) areas. Within this spacial and institutional framework of policy lobbying, most NGOs and the state compete for influence over the land policy.

The key national land struggle of the day remains the ideology of indigenization or affirmative action.⁸ The politics of indigenization in land has thus seen a shift from interest in the entry into large commercial farming towards their organized interest in capturing the most lucrative land based export markets such as tobacco, horticulture,

⁶“Land Reform Targets Are Far, Far Away,” *Land Info*, 5:3, June/July 1998, 6.

⁷*Ibid.*, 7.

⁸Moyo, “The Impact of Structural Adjustment on Land uses in Zimbabwe,” 36-37.

timber, wildlife and nature based eco-tourism. An important strategy associated with this is that middle to large scale black land users are to gain state support for black empowerment, through redistributing white held land and associated resources, within a frame work of self-sufficiency from or of parallel development along-side the minority white dominated land markets. However linkages between small black farmers and the LSCF and large formal private sector has grown through interactions involving physical marketing, finance and technological inputs such as seeds and chemicals. Government and NGOs are all involved in promoting these linkages, as are individual land owners and marketing agencies.

The business linkage strategy of indigenization and small enterprise development is in fact most advanced in land based sectors rather than in the industrial and mining sector. Thus, the politics of linkages which is partly financed by private sector agencies is an effort to counteract radical land redistribution lobbies. Zimbabwe's fiscal crisis of the 1990s has merely reinforced the importance of indigenization for land and natural resources because most blacks consider these resources to be an indigenous and natural good, and also since land related activities contribute about 35 percent of foreign exchange income into the country's economy. In South Africa, similar calls from blacks have began for an affirmative action on land and economic issues which may lead to higher indigenization opportunities.

In Zimbabwe, land redistribution was a key political and economic demand of the liberation wars, but government official land policy has been to restrain private or community self- provision of land and to pursue a slow redistribution program. Less than

15 percent of Zimbabwe's land, half of which was held by the LSCF and the state had been redistributed by 1990 to about 6 percent of the rural population. The government did not transform the land tenure system but promoted improved production and commercial markets among less than 10 percent of the black smallholder farmers.⁹ This result was not politically satisfactory and did not promote sustained economic growth for the country.

LAND REFORM AND THE IMPACT OF DEBT SERVICING

Debt has been devastating to the policy of land reform in Zimbabwe, South Africa and within the African continent. It has become the source of unattainable goals within the economic realms. According to leading African scholars, land redistribution in both countries have become one of the external debts casualties and this has given the external actors financial leverage on how Zimbabwe and South Africa will proceed on the land reform and economic policies. The mechanism used by these external actors is the introduction of the Structural Adjustment policy through the Bretton Woods Institutions - the World Bank and the International Monetary Funds (IMF).

For the past twenty five years, countries in Africa at various junction have been trapped in the debtors prison as many African countries cannot meet their annual interest bills and the arrears on their debts are growing. In 1980, sub-Saharan Africa owed the West about \$61 billion. By 1997 this had risen to \$219 billion. For the worst affected

⁹N. Marongwe, "Land Reforms in Zimbabwe And The Southern African Region: Issues And Perspectives," Zero - A Regional Environment Organization, July 23, 1997, 9-10.

countries, annual spending on debt payment now cost 40 percent of the government budgets.¹⁰

Zimbabwe and South Africa are no exception to this situation. In June 1999, it was reported that for the first time in 20 years Zimbabwe has failed to service its external debt because of shortage in foreign currency. Economists said this was the result of the continuing collapse of the country's foreign exchange reserves, which had been in decline for the past nine months. According to the Ministry of Finance statistics, as of December 1999, Zimbabwe's external debt was Z\$90.2 billion. This translates to a debt service ratio of 18 percent of 1998 exports. The country's domestic debt is estimated at Z\$41 billion for 1999. The Zimbabwean dollar is currently fixed at Z\$45 to the United States dollar. In a recent report, Zimbabwe's Reserve Bank emphasized the importance of exports in the country's economic performance. Its report "recommended focus be put on promoting export growth and ensuring an optimal mix in the structure of the country's export basket."¹¹ The Reserve Bank recommendation is in direct opposition to the desire of the black farmers in the rural area, but supports the position of the large scale farmers who export cash crops for foreign exchange earnings. This is a dilemma that Zimbabwe's government faced as it tries to implement land reform in the country.

In South Africa, after five years of land reforms, reports have begun to emerge that the land reform program "has been painstakingly slow and it has been hamstrung by

¹⁰Larry Elliott and Charlotte Denny, "Will The West Free Africa From The Debtors' Prison," Mail and Guardian, June 18-24, 1999, 14-15.

¹¹Shehnilla Mohamed, "Zimbabwe Is Unable To Service Its Foreign Debt," The Star Business Report, June 22, 1999, 7.

budget constraints...”¹² South Africa’s foreign debt is estimated at about \$15 billion, and its annual debt servicing payment is 40 percent of foreign exchange earnings. In response to economic decline in the country, former President Nelson Mandela warned that “South Africa was an “over-taxed society” which could not rely on “hand-outs from donors or from increasing government debt. Rather we must operate within our means as we rearrange government spending and create optimum conditions for economic growth....However, the funds to accelerate reconstruction and ensure economic growth are concentrated in a few white hands.”¹³

In November 1999, South Africa’s Deputy President, Jacob Zuma made a follow-up call on the debt issue, at an address to the 21st congress of Socialist International in Paris, that called for decisive and concrete solutions to the problem of the developing world’s rising debt burden. Zuma pointed out that the gap between rich and poor is widening as projected by the United Nations which indicates that by the late 1990s, “a fifth of the world’s people living in the highest income countries had 86 percent of the world GDP, 82 percent of the world export markets, 68 percent of foreign direct investment. This situation is graphically illustrated by the appallingly high figures of unemployment on the African continent, this is accompanied by widespread hunger and poverty, homelessness and the continuing spread of HIV/AIDs”¹⁴ At the end of his

¹²Carol Paton, “Hiring And Firing Before Dawn- Mbeki’s ‘Other Party’ after The Banquet,” SundayTimes, June 20, 1999, 2.

¹³“ANC Conference,” Africa Research Bulletin, 31:12, December 1-31, 1994, 11682.

¹⁴“Zuma Calls For Debt Relief For Developing Countries,” Panafican News Agency, November 11, 1999, 1.

remarks, Zuma called for a Marshall Plan for Africa to alleviate the masses suffering, especially in the areas of homelessness, health and agricultural development, issues which are directly dependent on land reforms.

According to Susan George, debt is now used as a weapon by the Western countries. "Debt provides a powerful lever for forcing the Third World 'adversary' to submit to the will of the creditors," since the external actors such as the Western nations can obtain raw materials on the cheapest possible terms in Africa. Also, the African debtors are dependent on the goodwill of creditors, therefore are unlikely to challenge the dominant world order. A de facto assault is also believed to be levelled on the African states through the World bank and the IMF who usurp the powers of the state to dictate the terms of economic policy. They now control the currency of indebted countries who must devalue when instructed to do so. Also these institutions now decide on the macro-economic policy of these countries as they set the framework through structural adjusters, and only the details are left to the negotiating government.¹⁵

LAND REFORM AND STRUCTURAL ADJUSTMENT POLICY

The sensitivity and complexity of land tenure reform has derailed efforts at resolving the land question in light of the Structural Adjustment Programs (SAP) initiated in Zimbabwe and in South Africa. In the process to access land, SAP has been detrimental to the financial capabilities of the poor masses in both countries due to rising

¹⁵Susan George, "Uses And Abuses of African Debt," in Adedeji, ed. Africa Within the World, New Jersey: Zed Books, 68-70.

prices of land value, currency devaluation and higher unemployment. Also, SAP has created budgetary constraint for government as they continue to be affected by dwindling financial income, such as lower income from agricultural exports. Land reform costs money, and the lack of adequate financial resources in both countries has hampered land tenure reform. In most instances, official development policy frameworks rarely target the redressing of the uneven distribution of access to land, alleviate poverty and economic restructuring in the SADC region due lack of resources in the face of financial limitations placed on most countries by SAP.¹⁶

In Zimbabwe, South Africa and among most African countries, “rising debt service payment, currency devaluation, cuts in food subsidies, skyrocketing prices of basic social amenities such as housing, education and medical care, increases in gasoline prices and transport fares, reduction in real wages, and rise in unemployment provoked by drastic cutbacks in government spending,¹⁷ are blamed on Structural Adjustment Programs (SAP) by critics. In its 1989 report, the World Bank argued that “African economies were afflicted by overly large public sectors and excessive state intervention, which were said to prevent market mechanisms from functioning properly. While the Bank acknowledged that state institutions would continue to be vital, the state should nevertheless be scaled back, its role confined to creating a favorable economic environment” for the private sector. Africa requires not just less government but better

¹⁶Moyo, “Land Reform Experiences in Southern Africa,” 16.

¹⁷Eboh Ezeani, “An Appraisal Of The African Debt Burden,” *Africa and the World*, 1:2, January 1988, 30.

government”¹⁸ according to the Bank.

In Zimbabwe, based on this assumptions, the government embarked on the Economic Structural Adjustment Programme (ESAP). The program was adopted as a macro-economic and agrarian policy intended to curb excessive and irrational state intervention in land and related markets and to counter state corporatism which repressed the necessary pluralistic organization and participation of civil society in policy making. Indeed, the stated objective of ESAP is to transform the highly regulated economy, through market-oriented competition, in order to attain greater productive investment, leading towards sustained higher economic growth, employment and incomes.¹⁹ Also, through land reforms, ESAP is expected to liberalize the land market.

Likewise, in South Africa, the new African National Congress (ANC)-led government introduced its economic program based on the World Bank’s recommendation. The Growth, Employment and Redistribution (GEAR) program was to administer non-socialist policies such as strict deficit reduction , low inflation targets, labor market flexibility and privatization of state enterprises. Even though this program is contrary to the Communist Party, who wants greater state control of the economy, more state spending for public projects and stricter control of the labor market, they stopped

¹⁸Earnest Harsch, “Structural Adjustment And Africa’s Democracy Movements.” Africa Today, 40:4, 4th Quarter, 1993, 11.

¹⁹Sam Moyo, “A Preliminary Review of Zimbabwe’s Structural Adjustment Programme,” ZERO, March 1991, 3.

short of declaring total opposition to GEAR.²⁰ In addition, an opposition party, the Pan Africanist Congress (PAN) have insisted that the country's constitution should be amended to include sub-principles on land distribution for "the right of access to land and the right of individual groups to seek restitution of their land lost through colonial conquest, fraud or apartheid since 1652."²¹

From a conceptual point of view, Structural Adjustment Policy measures attached conditions to stabilization and structural adjustment loans, aimed at overcoming short-term imbalance, and at reforming the economic policies pursued by African governments. This often means budgetary reduction and balance-of-payments deficits, adjusting exchange rates through devaluation and controlling the supply of money and credit. In the name of efficiency, these programs systematically gave preference to private enterprises over those in the public sector and to the use of market-determined prices to influence production and consumption patterns. SAP also favored export promotion, resulting in greater integration into the world market of African economy, thereby earning more foreign exchange with which to service at least some debt obligations owed to the Western Economies. SAP also has negative effects on land reforms because governments in Zimbabwe and South Africa has to reduce their budgets for land redistribution, creating a short-fall in their ability to meet reforms targets.

²⁰Lynne Duke, "S.African Leaders, Communist Allies Clash Over Policy," The Washington Post, July 6, 1998, A13.

²¹"Why Vote For The Pan African Congress?" Sunday Times, May 9, 1999, 1.

Structural Adjustment Program²² has been highly controversial in Zimbabwe, South Africa and across Africa. Critics have stressed poor economic performance, showing that few short-term gains were evident, even considering the standard macro-economic indicators favored by the International Monetary Fund and the World Bank. In early 1989, the World Bank had claimed that adjusting countries in Africa were experiencing significantly higher growth rates than non-adjusting countries. This was promptly contested by the United Nations Economic Commission for Africa (ECA) and other analysts, who exposed the “Bank’s weak statistical case and showed that many adjusting economies were not, in fact, growing more quickly. Others noted that structural adjustment did not really address the underlying structural distortions in African economies”²³

This has led many African scholars to criticize structural adjustment for its negative social implications, including its tendency to foster greater disparities, contrary to social norms that stress equity and collective well-being. Evidently, a few have benefited from structural adjustment, but large numbers of people remain stuck in the most miserable conditions. In Zimbabwe, South Africa and other countries where new economic opportunities have materialized, only those who are well to do in the society have reaped the gains . In the rural area where the benefits of structural adjustments is to take root, the gains appear to have gone disproportionately to the more prosperous commercial farmers, leaving poor farmers even farther behind. The greatest criticism

²²Harsch, “ Structural Adjustment and Africa’s Democracy Movements,” 12-13

²³Ibid. 13

leveled against structural adjustment has been its painful impact on people's social conditions - on incomes, living standards and health.

Currency devaluation and cuts in subsidies have brought higher prices for many basic consumer staples, including food and fuel. In February, Zimbabwe's energy Minister, Enos Chikowore, had to resign in the face of a deepening three month-old fuel crisis which forced many companies to close down.²⁴ Also President Mugabe had to make policy changes by embracing policies his government abandoned seven years ago for free-market reforms as he reintroduced the price controls policy.²⁵ Also, in June 1999, the African National Congress and its Communist Allies clashed over policy and points to the nation's economic troubles as proof of capitalism's pitfalls, especially the vulnerability of the Rand, which has lost about 20 percent of its value against the dollar since May.²⁶ In both countries, trimming the civil service rolls and the liquidation or privatization of state enterprises have increased unemployment levels, and forced many former public employees into the burgeoning informal sector.

Government spending cuts, dictated by market economy conditions to balance accounts, have usually landed the hardest blows on the soft social sector, such as education and health. United Nations has been gathering alarming reports of deteriorating health and nutrition levels among children and their mothers, while others

²⁴Rangarirai Shoko, "Zimbabwe's Energy Minister Resigns As Fuel Crisis Worsens," Panfrican News Agency, February 26, 2000.

²⁵"Zimbabwe To Impose Price Controls," The Washington Post, December 22, 1999, A26.

²⁶Duke, "S. African Leaders Communist Allies Clash Over Policy," A13.

have noted that school attendance rates in Africa have slipped over the course of the 1980s. At the international conference on “human dimension on poverty” in Africa, held in Sudan, in 1988, it was “declared in the starkest of terms that structural adjustment programs were rending the fabric of African society.”²⁷ In this vein, the pattern of European Union’s (EU’s) development assistance to African countries was questioned recently at the opening of the African, Caribbean and Pacific (ACP) - European Union (EU) joint assembly in Abuja this March. According to Nigeria’s President Olusegun Obasanjo, an evaluation of the implementation of the Lome 1-IV agreements of the ACP-EU partnership shows a bias for development assistance and against trade investment and private sector development, he described the development assistance as lopsided and “indeed tied to EU countries with the result that 70 per cent of it was recycled to Europe.”²⁸

LAND REFORM AND THE ESSENCE OF INSTITUTIONAL CAPACITY

In Zimbabwe and South Africa, the ideological or political struggles over land rights are the institutionalization of land ownership structures and the legitimation of land reform. Legal aspects of land tenure only partially establish the material foundations for the actual control of land. Thus a critical dimension of understanding the meaning and struggles for control and redistribution of land, is the material force that actual changes in

²⁷Harsch, “Structural Adjustment and Africa’s Democracy Movement,” 13-15.

²⁸Emeka Nwankwo, et al., “Obasanjo Faults EU Aid, seeks investments,” The Guardian, July 2000.

land use, its products and benefits that bring to bear on the public valuation of land.²⁹

However, in a freehold tenure system whose property rights are contested in terms of their origin, and equity such as in Zimbabwe and South Africa's Large Scale Commercial Farm (LSCF) sector, even the validity of the social benefits of their land uses is severely contested. This is because private benefits from new exports to the large scale commercial farmers and the state tend to reproduce the skewed rural income distribution. Also, the social basis of benefits derived from the new land uses, such as foreign exchange and preserving rare species, are highly contested. The landless and some black elites judge some of these new land uses to be ideological tools used by the large scale commercial farms to legitimize existing patterns of monopolistic land ownership and control. Moreover, the politics of macro-economic and land policy reform remained circumscribed by class, race and region based influences which shaped the differentiated and uneven responsiveness of the various actors.

This is to be expected in the highly polarized agrarian relations of production typical of societies such as Zimbabwe and South Africa. The land reform experiences in both countries reflects the polarized institutional and spatial framework within which land policy under structural adjustment programs tailored to each country has evolved. Unequal control over land and, access to capital and infrastructure, and the prevalence of monopolistic markets, are the substantive material differences and interests underlying the struggles for the maintenance of privilege by white and black elites against the

²⁹Moyo, "The Impact of Structural Adjustment on Land Uses In Zimbabwe," 42-43

redistributive demands of the rural poor. Apparently, while new export oriented land uses contributes to a shaky but improved current account, this has not necessarily impacted positively on the improved livelihoods among rural small landholders. This reinforces the long standing land and agrarian inequalities and the depressed incomes levels of rural Zimbabwe and South Africa.

This pattern of racially configured uneven development has held under different macro-economic and political regimes over numerous decades. It was consolidated during the colonial open economy and under the sanctions regime, and during the Zimbabwean majority rules economy of the 1980s and the new South African democratic dispensation of the late 1990s; when uneven development was sharpened and coopted a few elite blacks. During these recent neo-liberal structural adjustment policy regimes, the expansion of markets for new land uses were further developed through new alliances among dominant local white, foreign corporations capital and a few black elites, leading to a reproduction of the same unequal land and agrarian structure. Evidently, both Zimbabwe and South Africa's economic adjustment process has gradually led to a shift in its land policies, land ownership structures, and the uses of land and natural resources towards new global markets.

What is exceptional indeed until the beginning of the new millenium in the Zimbabwean case study on the impacts of economic structural adjustment program relative to the land question is the capacity of the state to secure relative political compliance and relative peace in spite of the inadequate land redistributive policy measures implemented this far. The absence of comprehensive land redistribution in

Zimbabwe is a fundamental measure of the government of Zimbabwe's relative success until end of the twentieth century to contain popular demands for land redistribution. Although, the close scrutiny, support and lobbying of large scale landed domestic and external financial interests have been crucial to this model of land reform with little land redistribution.³⁰

However, in South Africa, the land reform policy is still in its infancy, with structural and capacity inadequacies, there is evidence that the reform program is not responding adequately to land redistribution as initially expected. In November 1999, the new Land Affairs Minister, Thoko Didiza confirmed the masses fear when she said "The process is set to drag on as the department wades through mounds of costly red tape and an exhaustive consultative process. In addition, the Ministry has changed hands, which could also mean a change in policy direction."³¹ Relative to this, the new Minister had earlier called for a halt to a broad range of policies initiated by the former Minister, Derek Hanekom and has invoked a moratorium on new land reform projects, and these moves have provoked fear and insecurity among Hanekom's mostly white appointees. However, she has instituted some changes to the land reform policies. While Hanekom's thrust was towards the rural poor, Didiza is more concerned with the transformation of rural society and agriculture through fostering a black farming class.³²

³⁰Moyo, "The Impact of Structural Adjustment on Land Uses in Zimbabwe," 43-45.

³¹"We Want Our Land Back," Sun Times (Cape) November 7, 1999, 1.

³²"New Minister Cans Hanekom's Land Policies," Sunday Times -News - July 25, 1999, 1-2.

RECENT EVENTS IN THE 21st CENTURY

The turn of the new century and the new unfolding events on land related issues in Zimbabwe have trashed all analytic schools of thought following the defeat of the governments new draft constitutional referendum. The referendum³³ widely seen as a rehearsal for the general elections of June 2000 weekend ZANU-PF one party virtual hold on government. The government which has never been defeated in a national poll since independence in 1980, told voters the draft document would remove current legal hurdles to land reform. The opposition, which is a coalition of political parties and human rights groups, campaigned against the draft constitution on the grounds that it gave President Mugabe overwhelming executive powers which they accused him of abusing. The government and many political analysts expected Mugabe to have overwhelming electoral support in the rural areas, his party's traditional stronghold, to neutralize the opposition's lead in urban areas, but this failed. It was believed that many rural voters voted against the draft constitution, a rebellion against the authorities which has baffled political analysts as well as the opposition itself. Human rights activists charged that the government, which drew up the new draft constitution after nation-wide consultations on its consents, altered their opinions to suit its electoral interests, a charge the authorities denied.³⁴

³³Rangarirai Shoko, "Zimbabwe Opposition Wins Referendum By 55 Percent," Panafrican News Agency, February 15, 2000, 1.

³⁴Ibid., 2.

Boosted by the referendum victory, Zimbabwe's strongest opposition party, the Movement for Democratic Change (MDC) immediately launched its election campaign for parliamentary polls in June with a blistering attack on President Robert Mugabe's 20-year rule, which it said had ruined the economy through unchecked top-level corruption.³⁵ According to the Movement For Democratic Change interim party president, Gibson Sibanda, who reiterates that "we have become the laughing stock of all sundry because we are led by people who have no national interests. Mugabe himself has become the Lord of Misrule. We have mobilized people across the entire country, and come elections, we are going to dump this bunch of corrupt, selfish, arrogant and incompetent leaders into the dustbin of history."³⁶ Contrary to the oppositions prediction, the election was won by ZANU-PF with 62 seats to the oppositions 57.³⁷

The referendum defeat has also led to farm invasions organized by the Zimbabwe National War of Liberation Veteran's Association. Already reeling from a crippling fuel crisis and with political tensions running high ahead of June elections, the invasions have sparked fears that a violent clash on a single farm could spark nationwide clashes and racial confrontations. The stand-off on the farms has long been expected since the veterans feel most betrayed by the slow transformation of the nation. It is believed that "the main ideological basis for Zimbabwe's war of liberation was repossession of land

³⁵Rangarirai Shoko, "Opposition Vows To Oust Mugabe In Upcoming Polls," Panfrican News Agency, January 30, 2000, 1.

³⁶Ibid.

³⁷"Mugabe's Party Wins in Zimbabwean Polls," The Guardian, June 28, 2000, 1-2.

taken from the indigenous population by white colonists. That is what the former combatants now occupying the farms went into the bush to accomplish.”³⁸

The invasion of land by Sharp Chimurenga and others across the country came at an opportuned time for government’s party, ZANU-PF. It is believed that despite statements to the contrary, President Robert Mugabe’s has for the past 20 years put the land issue in the bottom drawer, raising it only when elections approached and forgets it immediately thereafter. It is a state of affairs that has Chimurenga and his comrades in despair. As far as he is concerned, he is just continuing the task he abandoned when the war ended. He emphasized that “[t]he white oppressors took the land away from our forefathers, and we fought in the bush to get that land back. But what has happened now? They are still holding onto the land and we are poor and landless. We are not going to move now. The only solution is for them to move away and give the land back to us.”³⁹

Land expert Mandivanba Rukimi, who chaired the national land commission in 1993 and 1994, “bemoans the fact that the land question has been brought to the fore front at a time when Zimbabwe is facing bigger problems,” from economic crisis. Rukimi says the government has never treated the land issue as a priority, even scrapping the Ministry charged with the task of land reform and squeezing the land resettlement budget. Even more disconcerting, says Rukimi, is that “the invasions came at a time when the government, farmers and donor community had reached agreement on ways of

³⁸Mondli Makhanya, “Story Of An Africanized Farm,” Sunday Times, March 19, 2000, 2,

³⁹*Ibid.*, 3.

implementing the resettlement program and supporting it financially.”⁴⁰

The current political climate on land reforms is charged in Zimbabwe as the internal and external actors are mobilizing their resources and continue to engage themselves on the land issues. The government is also leaving no stone unturned. On March 21st, the Zimbabwean police arrested its agriculture Minister, Kumbirayi Kangai, on allegations of corruption. Also, the President has since taken direct control of the energy Ministry, whose Minister resigned in February.⁴¹ On the external front, deepening diplomatic row between Britain and Zimbabwe has erupted at the ongoing 30th session of the ACP-EU joint parliamentary assembly as two conservative European groups sponsored a motion calling for the suspension of all non-humanitarian aid to Zimbabwe.⁴² The groups faulted the recent referendum on the Zimbabwe constitution, which they claimed was characterized by “no up to date electoral roll.” The group also stated that the Zimbabwean authority on March 9th, impounded and searched diplomatic bags that belong to the British diplomatic mission in Harare. They claimed that this action was a violation of article 23.3 of the Vienna Convention and that the action has prompted Britain to recall its high commissioner in Zimbabwe.

In reviewing the political and economic dynamics of land reform, the enduring realities of land reform in Zimbabwe and South Africa is that the land rights of the

⁴⁰Ibid., 4-5.

⁴¹Rangarirai Shoko, “Zimbabwean Minister Arraigned On Corruption Charges,” Panfrican News Agency, March 21, 2000, 1-2,

⁴²“European Groups Canvass Measures Against Zimbabwe,” Panfrican News Agency, March 22, 2000, 1-2, Ibid.

poor rural masses continue to be eroded by the white minority elites and the small cadre of black large scale land owners who have legitimized land inequity through the promise of dynamic economic growth based upon new land uses that is consistent with the Economic Structural Adjustment Policy (ESAP) in Zimbabwe and the Growth, Economic and Reconstruction (GEAR) paradigm that was promoted in South Africa. The underlying reality is that in both countries, land reform did not attain the stated goals within the first five years of policy process and implementation, and that land redistribution is far behind the scheduled target.

The ZANU-PF party took over government in 1980 in Zimbabwe, and immediately pledged to resettle 162,000 families on a planned target of 8.3 million hectares of land. To date about 71,000 family have been resettled on approximately 3.5 million hectares of land. The concrete result of the 1990s policy has been less than 50,000 hectares acquired and 2,000⁴³ families settled each year so far. In South Africa, the ANC party took over government in 1994 with a pledged to redistribute 30 percent of the country's land within 5 years. As of March 1998, 216,051 hectares of land had been transferred to 23,209 households in terms of the redistribution program for the period 1994-1997.⁴⁴ However, the redistribution program has gained momentum between 1997 to 1998, when approximately half a million hectares of land had been redistributed to

⁴³Sam Moyo, The Land Acquisition Process in Zimbabwe (1997/8), Harare: United Nations Development Programme, 1998, 10.

⁴⁴Wildschut, "A Seed Not Sown,,: Prospects for Agrarian Reform in South Africa" 47.

approximately 200,000 beneficiaries.⁴⁵ In South Africa, these numbers indicates that less than 1 percent of land has actually been redistributed within the last five years. Also, after 20 years of land redistribution process, Zimbabwe has not redistributed up to 50 percent of the land.

⁴⁵Department of Land Affairs, Annual Report, 1998, 15.

Chapter 6

PROSPECTS AND PROBLEMS OF LAND REFORM IN ZIMBABWE AND SOUTH AFRICA: A COMPARATIVE ASSESSMENT.

The struggles over access to land and land rights in Zimbabwe and South Africa are similar in many respects. The section will compare the roles played by internal and external actors in shaping the outcomes of the land reform policy process in Zimbabwe and South Africa. Institutional capacity will be examined to understand the effects on efforts to establish a uniform and effective land reform process in Zimbabwe and South Africa. The section will also highlight some of the existing projects, policy perceptions, and inter-department power struggle that are in play as the land reform program proceeds in Zimbabwe and South Africa. Also, this chapter will examine the impact of land reform on social mobility.

The land question in Zimbabwe and South Africa is continually changing in response to a shifting from a radical land reform strategy to a more liberal strategy and vice versa, especially in the case of Zimbabwe, due to hesitant donor support and waning international investment. The social validation of tenurial land use contributes to the evolution of new understandings and frameworks of land tenure and the distribution of landholding through legitimate means to those engaged in such struggles. The changing land reform policy interest and debates are thus a key process, which need understanding in order to explain recent and on-going land policy in both countries.¹

¹Moyo, "Land Reform Experiences in Southern Africa," 2.

THE ROLES OF INTERNAL AND EXTERNAL ACTORS IN THE STRUGGLE FOR LAND REFORM PROCESS IN ZIMBABWE AND SOUTH AFRICA

The issue of land is a political one, a matter of who sets the political agenda and what is permitted on that agenda. In Zimbabwe and South Africa, there is the “persistent intervention by international financial agencies and by petty bourgeois politicians and their cronies who seek land as personal property for their own aggrandizement.”² It was understood quite early in British colonial policy that an efficient process of exploitation required that land must be effectively controlled. “That control was usually achieved through the extension of legal ideologies and mechanisms that varied in purpose, geopolity, and amount of deceit and intrigue necessary to obtain it.”³ In Zimbabwe and South Africa, various actors and factors play major roles in the land reform process. The actors in both countries have their own private agenda on how the land reform process should proceed. This situation has not helped the process. Several factors contributed to the hindrance of land reform. They include weak political will on the part of the government, lack of government commitment to land reforms since it is seen as a high cost, low benefit exercise for the country, weak institutional structures, weak internal and external support, weak civil society and limited financial resources. All these variables have adversely influenced the mediocre performance of the land reform process in

²Ray Bush & Morris Szeftel, “Commentary: The Struggle for Land,” Review of African Political Economy, 84, June 2000, 173.

³H.W.O. Okoth-Ogendo, “Agrarian Reform in Sub-Saharan Africa: An Assessment of State Responses to the African Agrarian Crisis and Their Implications for Agricultural Development,” in Thomas Basset and Donald Crummey, Land in African Agrarian Systems, Eds. Madison: The University of Wisconsin Press, 1993, 249.

Zimbabwe for the last 20 years, and in South Africa in the last 5 years

Internal class forces have played a major role in diminishing the impact of land reforms in Zimbabwe and South Africa. The white capitalist farmers have been able to hold back the redistribution process in both countries on the basis of its control of the economic resources, and they were able to reassert their political will after 1980 in Zimbabwe and after 1994 in South Africa by using their economic power, the rule of law and the international donor to support their cause. The whites had used ideology to circumvent black political power, essentially since legalized ideology is closely related to power. In defining its relationship - "Law is not only ideology backed by instituted social power, it is also instituted social power articulated and reinforced by ideology."⁴

In complex societies such as in Zimbabwe and South Africa, law designates power relations in terms of general ideologies reflecting a social structure which divides people economically and politically. As an instrument of power, law in such societies legitimizes the status quo and creates a structure of authority and property interest. In relative terms, law is essentially an ideological instrument of the ruling class, that impacts universal legitimacy to it and enables political relations of domination to continue.⁵ It is the influence of this class upon the government policies which explains the slowness of structural changes in the land redistribution process and the agricultural system. The white farmers still retains a massive influence and a decisive voice in day to day issues of

⁴Laurel Rose, The Politics of Harmony - Land Dispute Strategies in Swaziland, New York: Cambridge University Press, 1992, 78.

⁵Ibid.

running the agrarian sector. Also, the black political elites who on attaining political power and bureaucratic office have the tendency to acquire commercial farms in numbers, and tend to join their white counterparts in weakening the proposed land reform measures through inaction. Hence, politicians and bureaucrats attempts to acquire commercial farms in many African countries, and the viability of their investment is enhanced or ensured by preferential access to subsidized credits and inputs. In the black elites pursuit of attaining commercial land to ensure their class standing in the society, they inadvertently lost focus and their political will as a group to enforce stringent land reform measures.⁶

The role that commercial agriculture plays in the economy of Zimbabwe is very important and the government was very cautious in tampering with it. Politicians and civil servants who are involved in the resettlement program at its inception are quite aware of the role of agriculture and are reluctant to meddle with it initially because of their unwillingness to be dependent on South Africa for food supplies. This assumption by government gave the white farmers needed leverage and political clout in the country. Therefore, the white farmers were able to make the case on the land debate by stressing the dangers of drastic change, as they provide wide circulation to reports that “argued against quick resettlement, and by highlighting the importance of white commercial farming to Zimbabwe.”⁷

⁶Tor Skaines, Sam Moyo, “Land Reform And Economic Development Strategy in Zimbabwe - State Autonomy And The Policy Lobby,” Working Paper, 2/1990, 13-14.

⁷Jeffrey Herbst, State Politics in Zimbabwe, Berkeley: University of California Press, 1990, 55-56.

Naturally, the white commercial farmers have strong forces in both Zimbabwe and South Africa. They control a large share of production and therefore have great incentives to organize for lobbying purposes. They are few in number and many are centrally located, so that communication and organization is relatively easy to achieve. Their entrenched economic position has so far ensured them significant blocking power over the issue of radical land reform. Also, the white farmers have a strong lobbying organization in the form of the commercial Farmers Union which possesses great skill in economic and technical analysis and long experience in political lobbying. They have the tendency to use their organization's skills and wealth to slow the process of land reform policy⁸

In the absence of countervailing pressure, organizational and technocratic decisions dominates Zimbabwe's land policy because peasant farmers are unable to bring significant political pressure on the government, and this has also become the trend in South Africa. In both countries the National Farmers Associations representing the peasant families have limited voices due to severe organizational problems in their attempts to represent their constituency. A major problem for these associations is the poor communication within its structure. In the districts, there are no means for communication in the rural areas, funds are not available to representatives for visits to the farmers clubs in their areas and some representatives are not very active. The political impact of these problems was summarized by a Department of Land and agriculture

⁸Tor Skalmes, The Politics of Economic Reform in Zimbabwe - Continuity and Change in Development, New York: St. Martin's Press, 1995, 152-153.

official in Zimbabwe as follows: “The peasant farmers aren’t really organized to present their views. The channels barely exists for peasants farmers to have a national voice...there is no mechanism [for peasant farmers] to actually have an impact on the Ministry of Lands...There is no way to translate land pressure into policy.”⁹

However, the squatters have also been able to take the rules formulated by the government in both countries and use them effectively to pressure policy-makers informally into giving them more land. Due to political party affiliations, the squatters were able to exert pressure effectively in the day to day conflict over land. The squatters’ tactics of moving quickly against the resettlement bureaucracy and seeking allies in [local ZANU-PF officials in the case of Zimbabwe or in local ANC officials in the case of South Africa] and some national political officials allowed them to circumvent government procedures. The squatters also use physical possession of the land to essentially control it, since land can be seized and put to use by individuals with few outside resources. This was clearly the case recently, with the violent farm invasions taking place in Zimbabwe in the wake of a defeated referendum in February 2000. These invasions are also regarded by the squatters as a form of intimidation intended to frighten white farmers of their land.¹⁰

In Zimbabwe and South Africa, external interference places great emphasis on the Western powers’ ability to constrain the government’s policy choice not only by entrenching property rights in the Lancaster House constitution for Zimbabwe and the

⁹Ibid, 57.

¹⁰“The Politics Behind Zimbabwe’s Land Crisis,” The Nation, April 24, 2000, 2.

1996 constitution for South Africa, but they ensured that both governments cannot contest the spirit of the agreement as it was tied in with the promise of aid, trade and investment which did not materialize enmasse as promised, rather it comes in piecemeal pace. and therefore prolonged the longevity of the reform. Of significance is the fact that the need for capital from Western countries, the uncertain political situation in Southern Africa, and the demonstration around 1975 of the consequences of white flight from neighboring countries like Mozambique made the in-coming Zimbabwean government relatively risk-averse. Understanding that a well functioning economy is necessary to withstand pressure from South Africa's Apartheid regime and finance military intervention in Mozambique, these were good reasons why the new Zimbabwe's government would want to move cautiously on land reform. However, after the Lancaster House constitution expired in April 1990, opening the way for compulsory purchases without necessarily compensating owners in foreign exchange, the government did not muster its political will to expropriate land from the white land owners.¹¹

In South Africa, the approach to redistribution through grants and land transfer through the market was an economic thinking of another set of external actors such as the World Bank and other international experts who proposed a market-driven land reform for the country. Their influence was fed into the policy-making process through a series of conferences and other dialogues with the ANC, government and activists from the early 1930s. The World Bank officials and experts have been urging for some degree of

¹¹Skalnes, "Land Reform and Economic Development Strategy in Zimbabwe - State Autonomy And the Policy Lobby," 12-13.

land reform in South Africa since the start of the transition in 1991.

The reasoning of the World Bank is three-fold: 1) they contend that politically land reform is essential in order to avoid decades of likely peasant insurrection which may lead to civil war, capital flight and economic decline; 2) in micro-economic terms, they assume that a small farmer strategy will lead to inverse economies of scale, through more intensive use of labor and relatively less capital; and 3) in macro economic terms, the World Bank predicts that the transfer of land will allow a resolution of the debt-crisis affecting many white-owned commercial farms as a result of liberalization and removal of subsidies, without the need to devote state revenues to debt forgiveness or debt relief.¹²

The World Bank and its band of experts also argued against confiscation with compensation in South Africa believing that it would be slow and costly, and may be contested in the courts or in the political arena. Confiscation would have to be managed through a state agency, and the World Bank argued against it on the basis that it would be bureaucratic and rent-seeking. This assumption, combined with the rights-based tradition led to a policy that allowed some restitution of judicially established rights which envisaged greater security of tenure in the communal lands, but also place a major emphasis on a market-led redistribution approach. In Zimbabwe and South Africa, the external actors used their power of persuasion to affirm that land would be transferred on a willing-buyer, willing seller basis; and in the case of South Africa that the transaction would be between farm -owners and communities whereby the latter will be entitled to a

¹²Lionel Cliff, "Land Reform in South Africa," Review of African Political Economy, 84, June 2000, 276-277

grant based on the recognition of historical wrongs by the white minorities. The external actors concluded that this approach would eliminate the need for a separate land reform bureaucracy, but these calculations did not hold as the market-led land reform process have succeeded in creating more administrative bureaucracies.¹³

For many years, the World Bank, the international financial agencies, and the United States Agency for International Development (USAID), for example, have promoted the importance of individual title, including the privatization of tenure and ownership. The emphasis on title and tenure tends to oversimplify or ignore local traditions of work and the prior existence of markets in land. The emphasis on title also accelerates processes of rural social differentiation and class formation in which landless and female-headed households and the disposed are marginalized. These outcomes can be blamed on issues that are neglected by the international agencies, such as security of access to rural work and markets, the development of rural infrastructure and affordable production inputs and rural growth.¹⁴

As both the internal and the external actors' prescribed solutions continue to frustrate the government in Zimbabwe and South Africa, a major crisis has emerged in Zimbabwe on the land issues, and this has led to mass land invasion by the war veterans. In his support for the land invasion, Mr Mugabe introduced an edict which proclaim that white farmers would not be paid for their land, because it had been stolen from the

¹³Ibid, 277-288.

¹⁴Bush & Szeftel, "The Struggle for Land." 173-180.

blacks.¹⁵ This edict has created a stand-off between the government of Zimbabwe and the international community, especially Britain who has emphasized the rule of law and property rights. The land crisis has also pitted Southern African Development Community (SADC) against the United States and Britain. The SADC leaders criticised the proposed U.S. sanctions and jointly condemned Britain after their Summit discussion. In a joint communique, they stated “We are convinced that to have a land reform programme which is fair and just to all stakeholders, it is imperative for the United Kingdom government to honor its obligation under the Lancaster House agreement to provide resources for that purpose.”¹⁶

The land crisis has demonstrated the importance and urgency of the agrarian question in Southern Africa, and within Africa as a whole. However, it is sad that for 20 years opportunities to manage and plan an effective and genuine transformation of the land process have been wasted in Zimbabwe. Ironically, South Africa is moving towards this lack luster pattern of land reform process. Hopefully, this is a wake up call for most countries in Southern Africa. It would be a welcome relief if the “international interests dictating inappropriate ‘solutions’ and the elites in Africa lining their pockets were to heed the lessons of Zimbabwe’s crisis.”¹⁷

¹⁵Jan Raath, “Ian Smith Farm Among 804 in Mugabe Grab,” The Times, June 3, 2000, 2.

¹⁶Rangarirai Shoko, “Mugabe Gets SADC’s Support For Land Reform,” Panafrican News Agency, August 9, 2000, 1-2.

¹⁷Bush & Szeftel, “The Struggle For Land,” 180.

STRUCTURAL IMPLEMENTATION OF LAND REFORM IN ZIMBABWE AND SOUTH AFRICA

The consensus that has developed in the past few years is that you have to get the institutions right before you free markets. You need to have the whole package - free markets, stable prices and currency, a social safety net, the rule of law - or none of it works.¹⁸

That has not been the case in most developing countries, Zimbabwe and South Africa are no exceptions to this. Indeed a more obvious fault has been that the engines, that is, the institutions, that were relied on to drive reform efforts were themselves fundamentally inappropriate. Somehow it was always assumed that the agrarian bureaucracies, particularly those inherited at independence, were fully equipped at all times to handle any program, whatever its complexities and ideological parameters. That may well be the clue to the apparent failure of most of these programs.¹⁹

Lack of institutional planning and reorientation towards a black administration was a set back for land reform process in Zimbabwe and South Africa. On the bureaucratic side, both governments continued the same top-down approach of the settler rule which they inherited from the white colonists when it comes to dealing with the peasants and this slowed the land reform process. According to reports from Zimbabwe, there were mistrust of the peasants in the Ministry of Local Government, Rural and Urban

¹⁸Steven Pearlstein, "World Bank Rethinks Poverty," The Washington Post, September 13, 2000, E1.

¹⁹Okoth-Ogendo, "Agrarian Reform in Sub-Saharan Africa: An Assessment of State Responses to the African Agrarian Crisis and Their Implications for Agricultural Development," Ibid. 270

Development - the same Ministry that is responsible for resettlement and rural planning development. Also, the Ministry of Lands and Agriculture was geared towards servicing the commercial farms. This created a dualistic approach from pre-reconstructing and it also led to much confusion over the direction of agricultural policy and the interconnections between various aspects of it. The bureaucracy tends at times to be divided into a technical wing dealing with production processes and a political wing overseeing land allocations. This led to rivalry as in most bureaucratic organizations over allocations of money and responsibility. In South Africa, a new Department of Land Affairs was created to service the land reform policy, and a Land Claims Commission was created to monitor the process. However, as was the case in Zimbabwe, there were conflicts on the approach to land reforms.

Structural deficiencies have created a situation of institutional incapacity in both Zimbabwe and South Africa. Some land reform scholars argue that land reform was slowed down in part because there was lack of political pressure to maintain or increase it. In analyzing the situation, some scholars emphasize the lack of formal organization around the land issue, while others focus on the possibilities that Zimbabwean peasants may be motivated by other concerns than a hunger for land. Some emphasize that education is much treasured among peasants as a way of escaping from the rural areas and lack of access to inputs into production often constitutes constraint upon production in the view of the peasants themselves as does land scarcity. Therefore, when the government shifted emphasis from land redistribution to supplying better agricultural services and more education, it could do so without risking much politically. Essentially,

the problem of political access for those demanding redistribution of land is their lack of formal organization.²⁰ Likewise in South Africa, the limited amount of organized pressure began to emerge as one of the reasons for the slow paced land policy implementation in the country.

To further justify the slower - than - hoped for pace of land reform, lack of bureaucratic capacity and adverse balance of cost and benefits are cited as a major issue. Another problem cited for the slow pace of land resettlement in Zimbabwe is also contributed to a lack of clear conceptualization of long-term benefits. A reason being that the economic decision making in the country is dominated by the Ministry of Finance and the Reserve Bank, which carry responsibility for macro-economic policy and long-term strategic planning. The land reform issue was not discussed in light of its cost-benefit concerns, rather the issue has been left open for commercial farmers to argue that more redistribution can only lead to loss of foreign exchange earnings. As critics argue, a lack of focus upon the link between industrialization and agrarian change has resulted in considerable loss of momentum for the land reform and a shift of attention from long-term structural planning to more immediate balance of payments concerns.

The events that characterized Zimbabwe's land reform were replayed in South Africa in 1996, starting with the constitutional agreements on property rights and the willing - buyer willing - seller clause, on land purchase. The interim constitution provided that anyone who has lost rights to land after 1913 as a result of racially discriminatory

²⁰Tor Skalnès, Sam Moyo, "Land Reform And Economic Development Strategy In Zimbabwe - State Autonomy And The Policy Lobby ," 13-14.

laws could claim restitution and obliged the new parliament to pass legislation to facilitate these claims. The land reform redistribution program was launched as part of the 100 Presidential Lead projects which were intended to kick-start the Reconstruction Development Program. This took the form of nine pilot land reform projects in each of the nine provinces. At the same time, a policy consultation process was implemented in collaboration with the Land & Agriculture Policy Center (L&APC). The land reform policy - making was a more eclectic process, that involves central NGOs like the National Land Committee (NLC), various community-based organizations, the ANC Land Desk, and individual academics and analysts. In this context, a number of different interest emerged.²¹ The World Bank also took a keen interest in the South African reform and in 1993 its collaboration with South African researchers culminated in the Options for land Conference.

The redistribution of land represented a thorny political issue since there was no clearly defined political lobby with a strongly articulated position demanding redistribution. A general sense of injustice about the distribution of land meant that its redistribution would have to be on the agenda of any government reform program. This led the ANC to adopt reform policy guidelines and a ceiling was envisaged in respect to land held for speculative purposes, and also in the case of under-utilized and indebted land. As the reality of governance, that is, the balancing of conflicting interests within resource constraints, the ANC government adopted an increasingly conservative

²¹Adele Wildschut & Stephen Hulbert, "A Seed Not Sewn: Prospects For Agrarian Reform in South Africa, German Agro Action, Interfund & the National Land Committee, August 1998, 32-33.

approach, and the market-based approach to land reform took hold.²²

In Zimbabwe and South Africa, there are mixed feelings among experts that it was a mistake for Zimbabwe (and now for South Africa) to have embarked on a comprehensive market oriented land reform process. Most experts and citizens felt that a mixed economy which enhance the social equity paradigm should have been the policy process to follow. In both countries, the government should have negotiated with owners of commercial farm lands to surrender half of their lands to be redistributed after independence. That would have conformed with the social notion of “utilitarianism” which holds that “actions and practices should be evaluated on the basis of the aggregate social benefits and the aggregate social costs associated with the actions or practices...the socially responsible action for a business [government] to take is the one that will produce the greatest net benefits for society.”²³ Land reform based on social equity would have enhanced a “give and take approach;” it would have corrected the injustices of the past; it would have been good for race - relations; it would have alleviated the poverty levels in both countries; and it would have been good for the political economy of both countries and the region as a whole.

That was not the case, the market paradigm inadvertently created a situation of “us against them,” Again the blacks were pitted against the whites, the blacks determined

²²Ibid., 33-34.

²³Manuel Velasquez, Business Ethics - Concepts and Cases, New Jersey: Prentice Hall, inc., 1982, 44.

to take back the land of their ancestors and the whites trying to hold on to an inheritance from their forefathers; the blacks trying to wield their newly acquired political power and the whites resisting through the economic power that they possess. In this struggle, land reforms and the poor people which needed the land for humanitarian survival become the victims; as a result, land reform in Zimbabwe and South Africa has only achieved limited success so far and this confirms the position of this study.

In Zimbabwe, the white farmers used economic and legal means to stall the land resettlement program because it is considered not transparent, and because of Zimbabwe's government's insistence on paying the farmers only for improvements on the land and not the land itself. The farmers have also used the Administrative Courts to challenge the government's appropriation of the farms. Also, the government has accused the farmers of reneging on an agreement with the government not to contest the acquisition of their farms, as a result the government is now forced to seize the farms without compensation.²⁴ These illustrates the symptoms of land reform process in Zimbabwe after 20 years.

On June 13, 1999, Zimbabwe's Sunday Mail, reported that "800 indigenous farms face the Agricultural Finance Corporation (AFC) hammer. The report concluded that the government's land redistribution program is a mockery because "[t]he government is buying commercial farms from the whites at prices in the region of \$6 million. The same

²⁴Bernard Mandizvidza, "Zimbabwe Farmers Won't Give Up Land," Saturday Star, May 29, 1994, 4.

farmers use that money to get even better farms from blacks at only \$120,000.”²⁵ The report claimed that whites who became successful farmers did so because there were affirmative programs by the colonial governments to support them. The black farmers are not getting such support, and the Agricultural Finance Corporation is selling off black properties at any given opportunity when there are defaults without waiting for certificate of clearance from the government. They claim that the Agricultural Finance Corporation auctions are meant to demonstrate that blacks are not good farmers. This has been the state of the political economy of land reform in Zimbabwe, with both races working against each other when they should be working to complement each other and building bridges towards racial and social harmony.²⁶

Likewise, in South Africa, the land reform process and the increasing rates of poverty have continued to tear the black and white races apart. As was displayed in Zimbabwe, black political power against white economic power is in display regarding the political economy patterns of the country. Whites are using economic power to suppress black political power, and this has resulted in social chaos and racial division. South African Agricultural Union, the main farmers union has threatened to withhold taxes unless the government takes action over the growing number of attacks on white farmers, in which they claimed more than five hundred white farmers have been killed

²⁵Mathew Takona, “800 Indigenous Farms Face The AFC Hammer,” The Sunday Mail, June 29, 1999, 4.

²⁶Ibid.

since 1994.²⁷ Also, the tension between blacks and whites in South Africa continues to grow by the day, as a drunk and angry white man shot and killed a six - month old black child. This also brought racial tension in which some conservative whites voiced anger that President Mandela came to the black child's family to express condolence; according to them, he has not paid a visit to any white farmer's family slain in the past.²⁸

In both Zimbabwe and South Africa, the state of race relations seems to be getting worse every day. In both countries, the conflicts revolves around a tangle of racial and constitutional issues that tests how well the countries can balance the interests of the nation's white minority with those of the black majority. Neither blacks nor whites publicly dispute the need to redistribute land, but the way it should be done is a divisive and emotional issue, complicated by politics, race and history. However, no matter how divisive the land issue tends to be, it is a task that would be beneficial to the masses when accomplished, especially the rural black populace who are engulfed in poverty.

A major issue for land reform policy is transparency and accountability. It is important to use precise and consistent terminology, and to provide definitions for unusual terms. This enables all the decision-making actors to communicate effectively, and to avoid confusion on what are the specific policy goals. The political visions of both governments are spelt out in their political manifestos - that is, reconstruction, reconciliation, a better life for all. Such policy documents should be specific

²⁷"South Africa's White Farmers Attacked," BBC World Service, August 12, 1998.

²⁸Lynne Duke, "S. Africa Shaken By Slaying Of Black Child," The Washington Post, April 21, 1998, A14.

about what it targets - for example, 200,000 jobs will be created, a million houses will be built, with a reasonable time frame assessed. This is intended to also serve as “a reality check for the policy-maker, i.e., given the prevailing resources and constraints, (perhaps this is the fate of the 30% target for land redistribution in South Africa which is far off from being accomplished.)”²⁹

Land reform in Africa has not benefited the poor. The communities, the market, the economy, the urban and rural poor, farm workers, labor tenants and emergent farmers are all identified as the beneficiaries of the land redistribution program. The policy emphasized its targets as the marginalized and women in need. However, in Zimbabwe and South Africa, the benefits have not materialized. According to findings in this study, only one-third of the actual resettlement of the landless has been achieved in Zimbabwe in the last 20 years. This number was achieved only because many white farmers abandoned their farms in 1980 when the black majority took over the reins of government. Also, the few lands that the government has taken over within this time frames were not redistributed expeditiously to enhance fruitful agricultural production. Likewise in South Africa, Land redistribution has not attained its stated goal. The last five years of land reform process has been considered a near failure.

In Zimbabwe and South Africa, land valuation influences the price of land negotiation. The governments in both countries require that a fair price should be paid on land transaction based on its market approach orientation. This will usually be reasonable market value.- a price which is comparable with recent sales in the locality and one which

²⁹Wildschut, “A Seed Not Sown: Prospects For Agrarian Reform in South Africa,” 40-43

is endorsed by an independent valuer. However, with the market based approach, “the generators of wealth also become the beneficiaries of that wealth. The exorbitant prices that most white farmers ask for their land clearly demonstrate their unwillingness to sell.” Since the market approach dictates the practice of the willing buyer, willing seller principle in land distribution, this has turn the land reform in both countries into a voluntary program. Poor landless communities have to rely on the mercy of white land owners to be willing sellers, who in contrary are determined not to part with their land. Many white farmers are reluctant to sell land to black tenants, thus effectively preventing land redistribution from taking place.³⁰

In South Africa, the settlement/land acquisition grant represents the main source of direct financial assistance to the beneficiaries of government’s land restitution, redistribution and tenure programs. The grants may be used to finance land, transaction costs, internal infrastructure, home improvements and fixed and movable farm assets. Grants are set at 16,000 Rand per household and this is not adequate to address land access for the household. People who qualify may apply for the grant individually or as groups. In practice grants to finance agricultural lands are skewed in favor of large groups. This occurred because people have to put together their grants so that they can buy collectively. This results in land being overpopulated and not providing a conducive environment for economic activities to take place on the land, as a result the grants value has a limited benefit to the people.

³⁰Sihle Mkhize, “The Land Policy - Why It Must Change,” AFRA(Association For Rural Advancement) News, No 41, July 1998, 10-14.

In moving towards a proactive land reform, the constitution sets out the principle of land tenure for South Africans who are to benefit from tenure reform and that diverse forms of tenure are to be accommodated within the legal system. Likewise in Zimbabwe, the constitution requires that no property of any description or interest or right therein shall be compulsorily acquired except under the authority of a law. In this order, tenure reform is seen in both countries as the key to building protection for the rights of individuals. However, it remains to be seen how the reform program will tackle the conflict between constitutional imperative and customary laws.³¹

It is pertinent for this study to review institutional mechanisms, instruments, and methodologies towards achieving land reforms. The mechanisms used to achieve policy targets are critical in the design of a sound policy. One way of achieving success - reaching policy targets, is to ensure that for every policy target, a different policy instrument is designed and used. In Zimbabwe, the provision of land for resettlement was used to enhance land redistribution targets for those who were forced out of their land. In South Africa, the provision of grants is the primary mechanism through which beneficiaries may benefit from the redistribution and tenure programs, while the restitution program makes provision for a number of mechanisms to effect restitution. These are the restoration of land lost, the provision of alternative land, payment of compensation, some form of alternative relief, or priority access to other development programs.

In South Africa, there is confusion over whether the settlement/acquisition grant is

³¹Wildschut, "A Seed not Sown: Prospects For Agrarian Reform in South Africa," 42-43.

set at maximum R16,000 per beneficiary or per household as the terminology is used interchangeably throughout a government document called the White Paper. The confusion is also evident in the implementation process. In a recent study, it was noted that the White Paper has modified the definition of eligibility by altering its definition to “eligible individuals” rather than “eligible households”. However, this semantic change is not used consistently in the White Paper, and “qualifying persons”, “eligible person” and “eligible groups” are all used within one section.”³² The grant represents a considerable asset, however, the question to be asked is whether the allocation of the grant and the acquisition of rights to land are two separate processes. In cases where land is acquired through a Communal Property Association (CPA) or trust, the grant is allocated to the institution.

Also, in the restitution cases, restoration of land is awarded to a claimant community and transferred to a legal entity. The legal entity then has the responsibility to allocate rights to the land. There appears to be no guarantee that land rights will be received by every individual who was awarded restitution. Several problems arise on how to implement and fund the land reform process. In Zimbabwe, at independence several grants were pledged by the international community, such as the United States and its Western Allies to support the land reform process in the country. These pledges were not met and this handicapped the reform process. In 1998, at the land summit in Harare, most donors pointedly refused to pledge any significant funding for the land reform

³²Ibid., 44

program which is to cost an estimated U.S.\$1.9 billion.³³ It is still early to judge what will happen in South Africa, since they will need billions in U.S. dollars to cover the land reform expense.

In Zimbabwe, the government's institutional permit tenure has not provided benefit to the black farmers because the permit do not give ownership right and as a result farmers could not use the land for collateral when seeking credits. Critics of the country's land reform process have accused the government of using land reform as an election tool to get votes.

Also, institutional capacity needs to be redefined considering the involvement of many layers of government actively engaged in the process of land reform. In South Africa, the Land Claims Commission, which is supposed to be an independent body monitoring the land resitution program was placed under the Department of Land Affairs, thereby losing its independence stature since it now reports to the Department. Critics have emphasised that more work still needs to be accomplished in the area of capacity-building to enable an effective implementation of land redistribution in the country and in Zimbabwe.

The time-frames for these policies to be carried out are not timely..Time-frames are important in policy design, not only with respect to the objectives, but also in relation to the sequencing of the different aspects of the policy. In Zimbabwe, the land reform implementation that was supposed to have been achieved in some few years has taken

³³Francis Mdlongwa, "Zimbabwe Presses Land Distribution," *Africa Recovery*, 12:13, December 1998, 10

over 20 years because of weak institutions and a lack of clarity in objectives, as a result, the targets set have not been reached yet. The new Inception Phase Plan for Land Reform and Resettlement Programme - Phase 2 has set a new time table in 1997 to redistribute substantial parts of the Large Scale Commercial Farms sector in 5 years.³⁴ However, this plan seems to be going through the same problems of inadequate financial resource as the first phase of Land Reform and Resettlement implemented between 1980 to 1997.

Inadvertently, lack of institutional resources has contributed to the recent land invasion that is on-going in the country. Infact, it is not clear if the current land policy will hold, due to the veterans protest and farm takeovers. This has led the Zimbabwean Police to petition the High Court to limit its intervention role in the illegal seizures of white-owned farms by independence war veterans in support of demands for land reform. According to the statement of police Deputy Chief, Godwin Matanga, "Police are not prepared to undertake an intervention which in their view might risk some of the members of the respondent (body representing the white farmers) being killed... As far as the police are concerned, in order to lower the temperatures and bring the situation to some semblance of normalcy, the present land demonstrations should be treated no more than demonstrations with the persons involved legitimately regarded as doing so in exercise of their freedom of expression as enshrined in...the constitution."³⁵ In any case, it is believed that the government has given tacit support to the war veterans,

³⁴Government of Zimbabwe, "Inception Phase Framework Plan, 2.

³⁵"Police Petition Court To Untie Hands In Farm Saga," Panafrican News Agency, March 24, 2000.

and was using land reform as its main electoral plank in the June parliamentary polls.

In South Africa, time-frames have been set for the restitution policy in the constitution and by legislation. The Commission for the Restitution of Land Claims was given a five-year life span, while the settlement of claims is to be completed within ten years. In the earlier versions of land reform policy, 30 percent of land was to be redistributed within five years. All these were not achieved. However, time-frames and the sequencing of processes are important for each of the programs. The sequencing, and the reasons justifying it must be transparent. When potential beneficiaries understand why certain processes need to happen in the way it is designed, it will allow for smoother implementation of programs.³⁶ The key issues that acts as obstacles to land reforms are three:

First, the institutional framework for land is fragmented, leading to an inability to act strategically and quickly. Institutional arrangements are often regarded as the key elements, upon which a policy stands or fails. It is often this aspect which pre-occupies the policy implementation department. The land reform policies of Zimbabwe and South Africa have correctly identified the question of institutional arrangements as a key focus and several activities have been initiated to address the issue. The institutional framework for land administration is exceedingly complex and fractured in Zimbabwe. Attempts since independence to deal with this on an ad hoc and piecemeal basis have added to the confusion. There are numerous agencies involved in land administration including at least nine ministries and central government departments, several large parastatals, and urban

³⁶Wildschut, "A Seed Not Sewn: Prospects For Agrarian Reform in South Africa," 44-45.

and rural local authorities and traditional leaders.³⁷ Sam Moyo, “attested to this fact, when he said the land policy organizational structure is not effective and not adequate for land reforms implementation in the country, he explains that the organizations structures is too diffuse, and overlaps.”³⁸ Thus, the institutional arrangement for land administration is situated within a fragmented and complex web that require major reform and re-organization. Such a task will be essential to achieve many of the stated policy objectives of land reform.

Second, is the lack of administrative capacity to meet existing demands for services which is lacking at all levels. The decline of administrative capacity has led to long delays in such matters as land allocations, transfers and disposals, subdivision applications, planning applications and land acquisition. This fuels attempts to by-pass regulations and to corrupt proper procedures. For example, at the Department of Land Commission, which is responsible for the restitution program in South Africa, more than 63,000 restitution cases are lodged to be investigated, and there are less than ten research officials to conduct these investigations. Also, these investigators are assigned the task of documenting cases, responsible for community relations, including travels to various rural areas to provide information to the villagers, and write reports. The work schedule are daunting, and this has created a serious back-log for the restitution process. In discussions with the Provisional Commissioner for Guateng and Northwest, Emma

³⁷Zimbabwe’s Ministry of Lands and Agriculture, “National Land Policy Framework - Discussion Paper,” November, 1998, 98.

³⁸Sam Moyo, Interview by author, June 1999.

Mashinini, she explains that “she has been trying to get more staff for the department without success, because there is a hold placed on hiring, and the department budget has been reduced.”³⁹ In another discussion, with the Acting Chief Commissioner for the Land Commission, Wallace Ngogi, explains that, “administrative bottleneck on restitution is due to the fact that all restitution cases have to go to the court even when settled amicably. As a result, he hoped to resolve only 500 restitution cases by the end of 1999.”⁴⁰

Third, Zimbabwe’s adjudication structure is problematic. There is a clear and urgent need for locally based and easily accessible adjudicatory authorities to deal with land disputes at the local level. The Rukini Commission recognized this, but then went on to recommend local adjudicating structures which also doubled up as administrative structures and also violated the principle of the separation of powers and the values which underpin it. It is undesirable to mix and marry administrative and judicial functions in the same body of persons. It is for this reason that the granting of judicial dispute resolution functions on traditional leaders also vested with administrative functions is problematic. Such is a recipe for abuse of power and authority.⁴¹ Also, in South Africa, there are too many cases than the courts can handle. As the Chief Justice of the Land’s Claim Court, Fikile Bam explains, the overwhelming restitution cases has led the Commission to

³⁹Emma Mashinini, Province Commissioner for Land Restitution, Guarteng and Northwest, Interview by author, May 1999.

⁴⁰Wallace Ngogi, Acting National Land Commissioner, Department of Land Affairs, Interview by author, May 25, 1999.

⁴¹Zimbabwe’s NLPF - Discussion Paper, 117-118.

recommend that provisional cases should be moved from the courts to be handled through administrative appeals, which will be decentralized and will have deterministic roles.⁴²

In sum, the way these different agencies are involved on different land areas confirms the complexity of existing institutional arrangements and the consequent difficulties of obtaining an integrated and comprehensive approach to land administration in Zimbabwe and South Africa.

On the land redistribution policies, for instance in Zimbabwe land redistribution policy has been unduly influenced by market oriented precepts which argued against the poorest and landless peoples's land needs. An overemphasis on central state management of the program and poor inter-ministerial coordination, reflecting real competition for institutional power, further slowed down the process which had become less transparent over the years. The Land Reform and Resettlement Phase II promises to address some of the above issues but has various shortcomings including the poor linkage of the land redistribution program to wider reforms required in the area of land tenure, land use and land institutional arrangements. Scholars have indicated that the attainment of independence through armed struggle did not lead the new state to affirm its sovereign right over land through such mechanism as nationalizing land. Within this framework, Zimbabwe has used four broadly related approaches to land redistribution.⁴³

- 1) State-centered but Market-based Approach - the most dominantly used approach

⁴²Fikile Bam, Chief Justice, South Africa's Land Claims Court, Interview by author, June 1999.

⁴³Zimbabwe's National Land Policy Framework (NLPF) - Discussion Papers, 56-63.

between 1980-1992. Land was purchased by the state for redistribution following willing-seller - willing-buyer procedures. The private sector led the land identification and supply and central government was a reactive buyer choosing land on offer. This entire land redistribution process was state controlled mainstream approach to the resettlement program.

- 2) **Community Land Occupation and State Facilitated Approach -** land identification was led by communities through squatting and central government came in to purchase such land at market prices in what was officially coined the “Accelerated Resettlement Programme.” Local squatter communities self-selected themselves as beneficiaries by occupying mainly abandoned and under utilized lands, most of which were in the liberation war frontier zone of the Eastern Highlands. The government used forced evictions to restrain this approach. This community land occupation led approach seemed to emerge again during 1998 as many farms, which had been identified for compulsory acquisition, were spontaneously occupied by squatters. The squatters have however agreed in most cases to wait for their orderly resettlement by the government.
- 3) **State Compulsory Acquisition of Land at Market Priced Purchase -** This is a recent approach to land redistribution. Government uses compulsory methods of land acquisition and pays market prices for either the land and its development or for developments only. This approach was used to acquire about 30 farms between 1992 and 1997. It is the method being used to acquire some of the 1471 farms identified in November 1997. In this approach the government still

controls the rest of the resettlement process although settler selection is more locally controlled.

- 4) **Market Led Land Redistribution Assisted by the State** - this was discussed at the Land Donors' Conference of 1998 in the context of testing alternative approaches. In this approach it is argued that it could be more cost-effective, transparent, fair and fast if the entire process were led by the private sector, communities and NGOs within a market framework. Such actors would identify and purchase land, plan its use and settle themselves, while the government's role would be to provide a public grant to the beneficiaries. Settlers can use such a grant, as they choose: for land purchase or other investments on the resettlement scheme.⁴⁴

During the first phase of Zimbabwe's Land Reform and Resettlement Programme (LRRP 1) from 1980 to 1997, its policy objectives and implementation shifted frequently. However, the overall approach was led by the state buying land from the market. The policy objectives of the Land Reform and Redistribution Programme (LRRP) Phase II have reverted towards redressing poverty and creating political stability while reinforcing the erstwhile functional developmentalist approach. The stated underlying rationale of this approach is to promote increased productivity, employment growth, improved income distribution, and environmentally sustainable use of resources.

For South Africa, the redistribution process which is to help the poor people and marginalized communities and individuals to get access to land to live and to farm is going at a very slow pace. According to information released by the Department of land

⁴⁴Zimbabwe's NLPF-Discussion Paper, 58-59

Affairs, as of March 31, 1999, the department has 427 redistribution projects in the implementation phase which involve 295,451 people (45,454 households) and the transfer of 480,400 hectares of land. In the restitution program, out of the 63,455 claims that have been lodged starting from 1995, 241 claims have been finalized representing the resoration of 311,484 hectares to 13,584 households for 83,378 beneficiaries. Combining the lands distributed in both the redistribution and restitution program together, a total of 58,921 households have received 745,015 hectares of land in both programs. However, this is far off from the goal of acquiring 30 percent of all land in the country by May 1999.⁴⁵

The restitution program in general has had limited impact in altering the fundamental patterns of land ownership and access to land. The huge number of claims that have been submitted and also the fact that urban land claims far out number the rural claims. The reasons for the slow pace of restitution differ and range from limited resources, both in terms of human and resources, and the constraints posed by the property clause in the constitution which renders the expropriation option very difficult for the government to resort to as a mechanism to acquire land for restitution and its other land reforms programs. The legalistic nature of restitution is cumbersome, especially that of the Lands Claim Court coupled with hinderance on land reforms by its dependence on the free market and the fact that the two critical role players in the restitution process, the Department of Land Affairs and the Lands Claim Commission appear to be out of sync in terms of how they see their roles in the process and also on the outcomes that they desire

⁴⁵"Land Reform in South Africa," Department of Land Affairs,

for the land claimants. Thus, the institutions responsible for land reform have proved to be problematic in the course of performing their roles.⁴⁶

An evaluation of the land reform process was commissioned by the Department of Land Affairs, and a number of recommendations were made. The restitution review board charged to investigate the bottleneck in the land restitution recommended that the land commission should be integrated into the Department of Land Affairs. It also recommended a reduced role for the land claims court (who has so far settled 10 cases out of more than 26,000 lodged with the Commission), and a shift in emphasis from the legastic structure to a greater administrative capacity to allow for the mass processing of claims. The court is to adjudicate on claims not resolved through dispute resolution and act as a review or appeal court for aggrieved parties. The review board also recommended that all functions of restitution should be vested in the Commission to eliminate duplication, different interpretations and confused policy. The Commission would be accountable to the Director-General through the Chief Land Claims Commissioner, and would deal with the lack of integration of restitution in the land reform program as a whole. As the Minister, Hanekom summarized it, "in effect, this means all powers and functions necessary for implementing restitution will be accountable to the Director-General, who in turn is accountable to myself and parliament for the implementation of

⁴⁶Zebra Dawood, "Is Restitution In Need Of A Remedy?" A paper prepared for the National Land Committee, presented at the National Research Workshop, An Unpublished Document, April 1998, 2-6

all aspects of restitution.”⁴⁷

What are the feed-back loop, what worked, and how do we know. In the case of the land reform program in Zimbabwe and South Africa, every phase of the design should establish the indicators which will be used to evaluate success or failure. For land reform programs in both countries which have set multiple goals, and targeted a wide range of different beneficiaries, indicators become even more critical. The evaluation process also provides another opportunity to test the validity of the objectives set in the design phase. In Zimbabwe, a New National Land Policy went through major debates in May 1999. Likewise, the new Minister for Lands and Agriculture in South Africa has initiated land reforms reevaluation in anticipation of providing improved infrastructure for those getting land. In both countries, there is the realization that it is not simply giving lands to people, but necessary amenities has to be provided to enhance economic progress and growth.

What is to be monitored and evaluated. The land reform program in both countries must be tracked for progress. In Zimbabwe, such process is in place but not elaborate enough, with the new policy, this is beginning to be institutionalized. In South Africa, a Monitoring and Evaluation Directorate is in place to track progress in the programs, to coordinate data-gathering exercises countrywide, and to analyze the impact of land reform policy on the program. However, due to the lack of clarity in the programs' design, the Monitoring directorate has not yet been able to establish clearly the indicators for

⁴⁷“Review Recommends Land Commission Become Part Of Ministry.” Land Info, 6:1, March 1999, 6.

measuring impact, and the ultimate purpose of land reform.⁴⁸

While conducting these research studies in Zimbabwe and South Africa, the author visited some farms to see what actually has taken place on the land reform programs and to talk with farmers and landowners in order to get the opinions of those who are actually affected by the reform process. During the field work, some patterns emerged that highlights empirical events that is taking place on the land issues. This helps the research in getting insightful perspectives on peoples concerns in terms of what they hoped for in the land reform process taking place in both countries. The following situations are presented to illustrate the implementation and effects that the land reform programs generate in both countries.

REVIEW OF PROJECTS IN ZIMBABWE AND SOUTH AFRICA

Communal Land (Tribal Trust Land), Mutare Province in Zimbabwe

Mutare province is an area that consist of large white farms that are used for the production of export oriented cash crops such as timbers and cottons. In the outskirts of the province, are scattered communal lands where blacks were dumped during the colonial era. With its high rate of population overcrowding for blacks, most residents are poor since they work as domestic help or as petty traders to earn a meager living. In the communal areas, there are limited infrastructure for modest living condition. Without financial resources and inadequate transportation, many blacks are removed from the urban areas and forced into the confines of Tribal Trust Areas.

⁴⁸Wildschut, "A Seed Not Sewn: Prospects For Agrarian Reform in South Africa." 46.

However, most of these less fortunate blacks in the communal lands tends to wonder when prosperity will come their way and when the dividends of independence will in fact uplift them from social misery pervasive around them. One of the problems that continue to haunt the less privileged blacks is that the land that are in government possession are not distributed expeditiously; therefore, these tracts of land are not beneficial economically. Another charge levied against the government land reform program that has not benefited the poor, is that many Federal government lands that are acquired and released to the local government, are sold to those who can afford it or leased to the rich friends of government officials who do not utilize the land. Rather these individuals acquire such lands for status symbol. Essentially, these circumstances did not help the land reform policy.

Resettlement Scheme, Tongorara Village/Action Reynolds, in Zimbabwe.

This is a real community with the resettlement scheme located in Mashona Land Province. This area is dominated by white farmers with big land tracts that are not used to capacity. Among government acquired farms is the Tongorara village/Action Reynolds estate which the government used for resettlement schemes for blacks, those who are moved from the Tribal Thrust Lands (TTL) and relocated to government designated acquired lands. The government divides such designated land into various units, each unit called village. Each village consisted of 17 or more families. On a designated land area, about 8-10 villages are then created. Each land area allocated to a family within the village provides for family members residency, and fifteen acres farm land per a family to

farm. An additional 40 acres of land is provided to each family for grazing.

These resettlement facilities cost each family Z\$100 a year which is paid to the Rural District Council government. An average family consist of a husband, wife and 4 children. In the resettlement scheme, there is a school for the children to attend, a hospital within a reasonable distance and a local grocery shop that service the area. Also, there are solar powered televisions for those that can afford it. On these resettlement schemes, the families do not have title or deeds to their land and they are not told for how long the land is leased. The Minister of land can ask for the people to be relocated at any time. Some of these farmers are considered small scale farmers and have been on their leased farms for over 18 years. Many of these farmers produce cash crops which they sell to local markets and the Grain Marketing Board. In fact, the families do not have property rights to the land, and any development will not be compensated for in case the farmers are required to relocate. Also, the Ministry of Lands, Resettlement and Rural Developments do not allow them to trade or set-up shops on the assigned land.

A White Farmer Disillusion, Mt. Olympus Farm, Arcturus, Zimbabwe,

This is about a medium sized farm owner, a white female farmer who is not happy about the current land reform program. She contends that she is a Zimbabwean by birth and have lived in the country all her life except for traveling to South Africa once in her life time, she has not left the country. She was perturbed on why she may have to give-up her ancestral land to be redistributed when in fact she felt that she should have equal rights as any citizen in Zimbabwe. She confessed that she has no where to go because

Zimbabwe is the only country she has ever known and lived in. She complained that the government is simply using racial tension for its own purpose and that those who actually needed the land are not always getting such land. Also, in her opinion, a lot of foreign aids are being abused. To her, land reform has contributed negatively to the social and economic progress of the country, moreover, she concluded that land reform discriminates against her and that the reform has failed.

The Restitution Program in South Africa,

The restitution program in South Africa has over 63,000 applications to be reviewed and validated. After 5 years some of these claims have not been certified because of the current administrative backlog due to the limited numbers of restitution researchers. A major concern that was prevalent during this study is that most claimants who are old are worried if they will ever be able to recover their lost land or if they will have the opportunity to collect the restitution grant at the pace that the land reform is going. Moreover, some of them do not know if their claims would be validated, and this has caused bitterness and hopelessness on the length of time it has taken the government to respond to the claims. Some restitution claimants has concluded that the ANC, especially the Mandela Administration was not committed to land reform in the country and only played lip-service.

Rama Land Claim, Brits, South Africa

This is a claim by a group of families who applied to the government's restitution

program to enable them to return to their family land. In the claim, the Tribal Council of Bakgatla - the claimants, argued that the ancestral land located in Wildebeesthoek, Brits was forcefully taken under racial discriminatory laws in 1967. According to the claimants, there were no just and equitable compensation paid. As the process of litigation was about to begin on the case, the current owner of the land who is white, sold the land. The new owner who is also white, and the target of the claim immediately doubled the price of the land, for the community or government to repurchase. The new owner claimed that he had done costly improvements on the land since its purchase and that he did not benefit from any government support, or affirmative program therefore, he would only sell the land based on its market value. The land restitution administrative process has continued to conduct preliminary negotiations on this claim since February 1998 and the resolution to the case is still pending. The claimants are getting frustrated on the length of time the litigation is taking and if there will ever be a decision on this case in the near future.

Department of Land Affairs and The Land Commission in South Africa.

The Department of Land Affairs (DLA) is responsible for the administration of land reform in the country. The Land Commission is responsible for the validation of restitution claims and was supposed to be the social conscience through its monitoring role on the restitution program. Due to administrative overlap in the day-to-day administration of the land process, there were managerial conflicts between the two departments. This impasse between the two agencies led Parliament to side with DLA

when it asked the Land Commission's Commissioner to report to the Director-General of the DLA. This decision has led the non-governmental organizations to argue that there is no more an oversight committee to monitor the actions of DLA.

LAND REFORM AND ITS IMPACT ON SOCIAL MOBILITY: LESSONS FROM ZIMBABWE AND SOUTH AFRICA,

In Zimbabwe and South Africa, majority of the black people live in the marginal rural lands without fertile soils and reliable rainfall and they lacked access to the bulk of the nation's natural resources. Inequitable access to resources means that the minority white large farmers dominate resources in both countries largely agrarian economy. Together with transnational capital, white agrarian interests control key sectors such as tourism, forestry, commodity exports and the narrow agro-industrial complex under-lying the country's urban political economy. These creates major imbalance in the income distribution structure and in both countries reflect an unchanged legacy of colonial rule. In spite of independence and majority black rule, a narrow racial and class monopoly over land has been consolidated through the free - market mechanism. Thus the economic structure in both countries undermines the growth of rural incomes and the expansion of domestic markets such that majority of the rural people are poor and most cannot afford basic health and educational services. Inevitably, the human capital is constrained by an inefficient economic structure, which underutilizes its people and degrades the quality of their lives.

The growth of poverty, unemployment and income disparities in the face of the

underutilization of land and natural resources is the main reason behind land reform.

“While historical grievances over land alienation are important these tend to be subordinated to the more generalized demand for the redistribution of land for productive uses by a variety of potential and actual small and large scale indigenous land users.” The key objective of land reform policy is to establish a more efficient and rational structure of land, farming and natural resources utilization. A rational land policy should not support the interest of minority elite groups at the expense of optimal land utilization, increased productivity, improved income distribution, environmental sustainable use of resources and employment growth. The key issue facing Zimbabwe and South Africa’s land reform policy therefore is how to balance the control and access to land, by redistributing land from large scale landholders who underutilize their land to new small and medium scale users. The challenge is how to transfer peacefully, land from those who own land and remain unwilling and incapable of mobilizing adequate financial and labor resources towards the optimal use of land and natural resources at their disposal.⁴⁹

In Zimbabwe, most assessments tend to be static and focused mostly on the psychological effects that tempering with property relations may have on markets or investors. Few critics assess the economic, social and political benefits which could be realized from the new farmers who gain access to the land, whether or not these are for own consumption. The debate has thus been only cost oriented and not benefit oriented.

⁴⁹Sam Moyo, “The Economic And Social Implications Of Recent Land Designations,” An Unpublished Document, February 27, 1998, 1-3

The net main losses predicted includes: reduced gross domestic product, rising unemployment, an adversarial race relations, political and economic instability, white skills emigration and a slow down in indigenous commercial farmer empowerment process. The commodity losses anticipated focus on tobacco, cotton, horticulture, maize, and sugar while losses among field crops such as wheat and soybeans are rarely mentioned because the major fear is of losses of exports, there is little expectation of major losses in food outputs or of increased food imports as a result of the land acquisition.

According to critics, the predicted quantitative and macro-economic losses expected to result from the land transfers are based upon weak sources and qualities of information used by the various stakeholders to dramatize losses. Several indications suggested that Zimbabwe's economy will be halved in GDP terms and that formal sector employment will decline by at least 15 percent due to declines in agricultural and downstream jobs, while exports would lead to further current account deficiencies such that import cover could be reduced to even less than one month. By and large the investment climate is expected to worsen since uncertainty among investors on property rights and the declining collateral value of land are predicted to rise. All this is expected to lead to an increasing government fiscal burden and deficit arising from farm purchases, resettlement and extension of services.

A major problem is the tendency not to differentiate the sources and effects of the problems that could arise from land acquisition. The varied effects of changes in rainfall, technology, and irrigation on commodity production are for instance hardly considered.

The loss of agricultural output is not entirely novel to Zimbabwe, given that the agricultural sector has to regularly adapt to drought shocks. Thus inconsistent representation of output trends is common in Zimbabwe even though the frequency of droughts requires more precise estimations of the scale and cause of crop losses. However, the general conception is that large farms which mainly underutilize land and their acquisition will have minimal effects on output levels. South Africa needs to be watchful for these types of justification because such arguments does not represent the true picture of events.

Evidence suggests that there are many companies identified in Zimbabwe whose directors were registered foreigners. Most foreign owners appear to be British and South Africans. This could explain the uncritical preoccupation of the press in these two countries with Zimbabwe's land reform program. Through dual citizenship, it is estimated that between 15,000 to 30,000 white Zimbabweans are British. Britain's current attitude to supporting land reform is obviously influenced by these interests. Supporting this claim are the actions of some South African students and political parties who have accused the Zimbabwean government of showing "flagrant disregard for property rights and had encouraged lawlessness" because of the recent crisis on land invasions in Zimbabwe.⁵⁰ Also, some of these foreign owners are absentee owners and this is a reflection of limited commitment to farming. Absentee owners rely on farm managers who are then supervised from afar. In Zimbabwe, absenteeism affirms the fact that a

⁵⁰"South African Students Join Anti-Mugabe Crusade," Panafrican News Agency, March 24, 2000.

significant number of farms manager are actually blacks whose skills are not appropriately recognized. Black managers are often classified as supervisors and semi-skilled and receive lower wages than their jobs warrant. In essence, because about 40 percent of the farm management and technical skills are indigenous, based on survey evidence, "it could be argued that since large scale commercial farms are essentially black managed, the transfer of land ownership towards such farmers will not have negative effects."⁵¹

Achieving an equitable balance in the racial and national origins of land ownership has been a key political objective of Zimbabwe's land reform program. Obviously this has also been the goal of land reform in South Africa. While the definition of who is indigenous remains contentious, some members of minority groups are Zimbabwean citizens by birth or naturalization and regard themselves as being indigenous. But though Zimbabwean citizens, the limited social integration of most white LSCF owners into the social and political organizations of black communities renders them relatively isolated. This isolation tends to determine their conceptual disqualification as indigenous persons.⁵²

In Zimbabwe, research findings illustrate that communal land sector is neither environmentally, socially nor economically sustainable. Thus, the resettlement option offers a greater degree of sustainability and the possibilities of reorganizing and planning sustainable livelihood for the remaining families in the communal land. On the land

⁵¹Moyo, "The Economic and Social Implications Of Recent Land Designations" 6-26.

⁵²Ibid, 27.

imbalance, implementation of the land reform program has had a positive but small impact on the alleviation of communal area population pressure. Studies carried out reveal that despite the implementation of the program the alleviation of the population pressure in the communal areas has been very small, possibly because 3.5 million hectares of land were acquired out of 8.3 million hectares targeted. However, it is clear that without resettlement, conditions in the communal areas would have deteriorated to worse levels than they are currently.⁵³

The impact of land resettlement on the poor includes sectoral distribution which shows that up to 81 percent of the poor and very poor are found in the communal areas. One of the major causes of poverty in the communal areas is overcrowding and landlessness. Thus the resettlement program has so far targeted and benefitted some of these landless, poor and displaced families. The bulk of the 71,000 families so far resettled have come from communal areas. To this extent the program has addressed poverty in the communal areas. On the infrastructural provisions, several objectives were set to provide potable water to all settlers; provide roads that will have access to all villages; provide primary school classroom, houses for teachers were to be provided for every 20 settler families; and clinics were to be provided for every 500 settler family. On average, about 80 percent of this targets were achieved.⁵⁴

This finding and impact of land reform should serve as an empirical guide for

⁵³Government of Zimbabwe Document, 5.

⁵⁴Ibid., 7.

South Africa's land reform either by informing or confirming their short and long - term myth on how to proceed with land redistribution. Essentially, the GEAR program did not create the 400,000 jobs per annum as expected by the year 2000. Infact, South Africa's formal economy is reported to have lost 130,000 jobs during 1997, and shows no short-term signs of improving. While some confidence has been expressed in the ability of the rapidly growing informal sector to absorb job seekers unable to find employment in the formal sector, a recent study found that average monthly earnings in the sector was below R500, suggesting that the informal sector is unlikely to progress beyond survivalism. It seems clear that employment opportunities in the formal sector, and in the urban areas are unlikely to keep pace with migration from the rural areas at the levels experienced during recent decades. At the moment there seems to be little chance that the problems of rural underdevelopment and poverty will simply disappear.⁵⁵ An example of this, is displayed when thousands of gold mine workers stayed away from work to protest against on-going job losses in the mining industry recently. Their concern was that over 500,000 miners have lost their jobs since 1994,⁵⁶ and South African blacks continue to sink into the sea of debt.

To allow the exploration of more creative approaches to land reform and development in Zimbabwe and South Africa, a number of advocacy opportunities can be utilized, such as: lobbying for the re-design of existing land reform policy, and for more

⁵⁵Wildschut, "A Seed Not Sewn: Prospects For Agrarian Reform in South Africa," 11

⁵⁶"Strike Closes South African Mines For A Day," Panafrican News Agency, March 23, 2000

flexible application of policy in the short term. Indeed South Africa has embarked on a new focus for its land reform program, and this will be presented to the Parliament towards the end fall 2000; raising rural economic development as an election issue locally and nationally by asking questions about how much of the budget should be spent, the level of investment in rural areas, and progress achieved towards the realization of socio-economic rights in those areas; raising the issue of job creation in rural areas in public forums; engaging in the poverty debate, especially with regard to rural poverty (this could include the adoption of a position on the issue of what constitutes an acceptable poverty level); and creating a public awareness that land reform alone is not enough, and that a major rural development program is needed.⁵⁷

In order to enable those who want land in Zimbabwe and South Africa to secure the power to carry it into effect, the NGOs must engage government to hold referendum on the land reform issue, to let the people make such decisions on how they want to proceed with land reform, especially if land should be redistributed based on the market or on social equity. The referendum should also have a time frame for the expropriation of the agreed initial 30 percent land redistribution in South Africa in the short - term, while the remaining 40-50 percent of the outstanding land imbalance may be negotiated and settled in the long-term. Such a vote will enhance universal suffrage in the country and if passed will give the national government both the “legal authority” and the “political will” to carry out an effective and efficient land reform in a short time.

Moreover, in Zimbabwe and South Africa, the underlying and fundamental values

⁵⁷Wildschut, “A Seed Not Sown: Prospects For Agrarian Reform in South Africa,” 106

of development policy and planning should be to guarantee social justice to those in need and any pattern of economic growth is unjust that fails to improve the standards of living among major segments of the population.⁵⁸ In fact, anything contributing to extreme inequality in the standards of living is morally unacceptable, and indeed, land reforms purely based on the markets is not the most appropriate for land access in Zimbabwe and South Africa considering the apartheid policies and the uneven developments it brought to both countries.

In addition, if the international donors - especially Britain, are serious about land reforms in Zimbabwe and South Africa, they can set-up a structure which will enable designated lands intended for expropriation to be paid for without the money going to the governments of Zimbabwe and South Africa. The international donors can send their valuation or claim analyst to verify designated lands and pay for such lands through direct deposit to the Large Commercial Farmers account in any country of their choice. This payment process will certainly expedite the implementation of the land reform policy, since it will remove the white farmers concern on compensation issues and remove international donors sceptism of corrupt officials handling land access. This process would expedite the slow pace of land delivery to the masses in both countries, and thereby reduce poverty as it enhance economic development through land ownership empowerment in both countries..

⁵⁸Irma Adelman & Cynthia Taft Morris, Economic Growth and Social Equity in Developing Countries, Stanford: Stanford University Press, 1979, 192-193

CONCLUSION

Landlessness is the root of Zimbabwe and South Africa's most serious and persisting problems, with consequences resulting in severe exploitation and deprivation of minimal political rights and basic human needs. This was the case in Zimbabwe and South Africa prior to independence and it is still prevalent in some areas of the region. In both countries landlessness is a cause of low productivity on lands farmed by poorly compensated and poorly motivated tenants and laborers. Black farmers with insecure tenure lack incentives to make capital improvements to the land or to invest their sweat equity that is needed to produce high yields. As expected, where most of the people are unproductive, poor, hungry and with little income to purchase basic goods and service, the economy stagnates. These are the events currently unfolding in Zimbabwe and South Africa where landless black families form a significant part of the population, and their low productivity and lack of purchasing power has become a drag on the entire process of economic development.

Landlessness in Zimbabwe and South Africa is a cause of social, economic and political instability. In both countries, black tenants and agricultural laborers, desperate for land of their own, currently provide support for ongoing insurgencies. Landlessness leaves each succeeding generation rootless and desperate, forcing more people into already overcrowded cities, creates excessive urbanization and dehumanize landless farmers because they lack the dignity, status, and an economic stake in their society that accompanies landownership, thereby limiting the prospects for the development of democratic institutions.

Land reform is the most direct and effective approach to addressing the problems raised by landlessness. As empirical observation throughout the world indicates, that the farmer who owns the land he tills will make the long-term investments commitment essential to increasing production, which will lead to prosperity and opportunities for real participation in the local, and ultimately in the global economy. Based on this evidence, the owner-operated family farm has become the most productive of all agricultural systems and land reform has become the most important medium of altering inequitable power structures for effective development of local and national participatory institutions, and thus for strengthening political and economic development, and this assumption has led both Zimbabwe and South Africa to embrace a land reform policy. For them, land reform encourages the long-term investments necessary for increased agricultural production and sustained economic growth. The transfer of land to the tillers is essential, but redistribution of land assets is incomplete without other complementary programs such as support for credit, inputs, marketing, and extension advice are vital and assures the beneficiaries of early success.¹

In Zimbabwe and South Africa, land reform policy which was introduced as a corrective measure to salvage the uneven distribution of land, social imbalance and uneven economic development based on racial lines has only attained limited achievements in both countries due to several factors. The land reform policy was a compromise document to entertain the interest of the white minorities since the property

¹Roy Prosterman, et al., eds., Agrarian Reform and Grassroots Development, Baltimore: The John Hopkins University Press, 1987, 1-2..

rights that was entrenched into the constitution in both countries legalized the questionable land ownership by the whites. The black majorities in both countries have to embark on negotiated land reform through the willing-buyer, willing-seller provision. Also, the property rights clause, essentially confer legal ownership to existing land owned by the whites. The current challenge for both governments is the need to find a means of redistributing land to the needy, and at the same time to maintain public and international confidence in the land market. The reality is that the poor and the landless are not in a position to acquire land at market prices without assistance from the state government, and both governments presently have limited resources due to the structural adjustment programs in place.

In Zimbabwe and South Africa, there is a weak political commitment to land reforms. In Zimbabwe, the land reform program has become a political tool during elections to mobilize the public to vote for ZANU-PF, a one party government that has held monopoly power in the country until recently. Ironically, the highest yearly average of land acquisition was immediately after the independence period when white settlers abandoned their farms and there was spontaneous occupation of abandoned lands by the blacks. Also, the political will to carry out a major land redistribution program was weakened as some members of the black elite aspired and make entry into the large and small scale commercial farm sectors. Among the black elites are government officials, politicians and political friends. Likewise, in South Africa, the government is not strongly committed to the 30 percent land redistribution target and this has created a spirit of disillusionment among the black population who had hoped that independence would

bring about the return of their land. In fact, less than five percent of land in whites possession has been redistributed.

The issue of land reform is political. In Zimbabwe and South Africa, internal forces have played major roles in diminishing the pace of land reform in their respective countries. White elites have held back the redistribution process based on their control of economic resources and they have been able to assert their political will. Also, external interference from the Western nations with their ability to constrain government's policy in Africa is detrimental to the reform process, as both countries are deemed susceptible to external economic shocks. Also, the government in Zimbabwe and South Africa's have designed their land reform policy based on external thinking which is not necessarily compatible to events in their respective country. As the internal and external prescribed solutions continue to handicap both governments, a major land crisis has emerged in Zimbabwe and this has led to a revolutionary land grab by the landless war veterans.

The apartheid policy in Zimbabwe and South Africa before independence created an economic tool for control and a political strategy for dominating the blacks. Land being an economic resource has enabled whites to dominate the economy in both countries. However, the economic realities of land output in Zimbabwe and South Africa differs based on the size of population and gross domestic products (GDP). In Zimbabwe agriculture contributes between 35 to 45 percent of the GDP, 45 percent of formal employment and agriculture is important for foreign exchange earnings. For South Africa, which is considered an industrial economy, agriculture contributes only 5 percent of the GDP, 15 percent of formal employment and 25 percent of the black population is

dependent on agriculture. In Zimbabwe, 700,000 small-holders occupies 16.4 million hectares or 49 percent of farm land in the less arable parts of the country. In contrast, 4000-5000 large scale commercial farmers occupies 15.5 million hectares or 46 percent of total prime-land. In South Africa, 10 percent of white farmers control 87 percent of the farm lands in the country compared to 86 percent of blacks controlling 13 of the farm land, and these are not necessarily the most arable lands. Also, over 90 percent of gross farm income and 97 percent of agricultural export commodities are produced by white farmers and agricultural corporations. The landed resources have enriched the white settlers and they are not ready to part with it.

Land reform policy in Zimbabwe and South Africa has become an economic casualty to external debt service. Debt servicing has reduced the amount of financial resources that government can commit to the land reform process, as a result, it has created a slow-paced response to the reform policy in the two countries. Structural Adjustment Programs (SAP) has not helped the situation. It has created budgetary constraint for both governments as their financial income continues to decrease due to lower revenue from agricultural exports. Land reform is an expensive undertaking, therefore, reduced financial resources adversely affects the reform process and implementation.

Inadequate institutional planning and bureaucratic incapacity have had adverse effect on the land reform process in Zimbabwe and South Africa. On the bureaucratic side, both governments implemented a top-down administrative approach, that is centralized and complex, and has since led to a new 'reconstructed reservation' for black

people. Also, structural deficiencies have created institutional incapacity. The whites have employed the use of economic and legal measures to stall the land redistribution program in both countries to their advantage. The white farmers have also used the administrative courts to challenge government's appropriation of the farms. These are considered delay tactics used effectively to circumvent an expedient process of land reforms in Zimbabwe and South Africa.

Other measures that have not been kind to the reform process includes a stringent legalistic bottleneck which has also added to the slow delivery of land from the whites to the blacks. In South Africa, there is shortage of employees to implement land reform and scarcity of research staff to verify the authenticity of land restitution claims. Also, inconsistency in land valuation systems and high land value has affected the redistribution exercise. The state's land in both countries are not converted for public use or giving to the landless in a timely manner. Some white farmers also sold their land to European foreigners who are speculators. The land speculators then add minor improvements to the land, keep it for some few years, and then sell it at a higher price to the government or to the community that has the highest bid. In an attempt to subvert government's land policies, some white farmers also mortgaged their land by taking loans, thereby making such estates valueless, and thus avoid government's expropriation.

In Zimbabwe and South Africa, land has become the source of racial divide between the blacks and the whites. It has enriched the whites who forcefully acquired the land and created poverty for the landless blacks by the way it was administered. Due to the slow-pace of land redistribution in both countries, a high level of economic

development for the black majorities have not been attainable. As a result, a high degree of social equity has not been possible in Zimbabwe and in South Africa. The land reform process in Zimbabwe has taken a populist tone and this was resented by the international community. In South Africa, a moratorium was placed on land redistribution for almost one year, and there are massive replacements of white officials at the Department of Land Affairs for new officials. All these events have not bode well for land reform policy in the two countries and have continued to erode possibilities of fast and successful land reform policy in both countries.

In view of empirical observation and evidence that is derived from this study, there are factual indications which support the claim that land reform policy process in Zimbabwe and South Africa has only achieved limited success in terms of asset redistribution, economic growth, political development and race relations. Also, land redistribution has further created division along the race line, some black war veterans in Zimbabwe have killed white farmers and invaded their farms on continuous basis since early 2000. This situation is a waiting time bomb that may explode anytime in South Africa because land has not been distributed expeditiously to satisfy the landless blacks who needs it. Conceptually, and in practical terms, more needs to be done by the government to implement and achieve a durable land reform policy in Zimbabwe and South Africa.

Moreover, in view of the political and economic developments on the land reform policy in South Africa and Zimbabwe, Adam Smith's theory on market economy must be modified to be applicable to the African political economy. Therefore, the study

concludes that a mixed economy which combines both market and state enterprise would be more applicable to the African political economy. Evidently, economic development between the whites and the blacks are unequal due to the apartheid era political and economic conditions. Thus, the mixed economy paradigm retains market and private property systems but relies on government policies to remedy the capitalist economic structure deficiencies and the unequal development patterns between the whites and the blacks, especially regarding the land reform policy in South Africa and Zimbabwe..

APPENDIX

INTERVIEW QUESTIONNAIRE FOR LAND REFORM IN SOUTH AFRICA AND ZIMBABWE

My name is Emmanuel Ogunsalu, a teaching associate pursuing doctoral degree in International Relations, Comparative Government and Public Policy/Public Administration in the Department of Political Science, Howard University, Washington, D.C., U.S.A.

This Research is on “The Political Economy of Land Reform in South Africa and Zimbabwe: A Comparative Analysis.”

I would appreciate your time and effort by interviewing for the issues in this questionnaire described below:

- 1) Land Restitution - facilitates governments goal to restore or compensate people for land rights they lost as a result of racially discriminatory laws.**
- 2) Land Redistribution - facilitates governments goal to provide the poor with access to land for residential and productive use that will improve their livelihoods.**
- 3) Land Tenure - facilitates governments goal of an institutional, well structured and legally binding process in which people own or occupy land.**

Questionnaire

Page 2

- 1) Are you in favor of the current land reform program in the country?
 - 1) Yes
 - 2) No
 - 3) Don't Know

- 2) What are your interpretation and opinion on the willing-seller, willing-buyer agreement required for the purpose of land?

- 3) Is racial tension a big issue as a result of the land reform; if so, why?
 - 1) Yes
 - 2) No
 - 3) Don't Know

- 4) So far, defining "Success" on a scale of 1 - 10, 10 being overwhelmingly successful, and 1 being completely unsuccessful; is the land redistribution process a success?
 - 1) Yes, on what scale? _____
 - 2) No, on what scale? _____
 - 3) Don't know

- 5) So far, defining "Success" on a scale of 1 - 10, 10 being overwhelmingly successful, and 1 being completely unsuccessful; is the land restitution process a success?
 - 1) Yes, on what scale? _____
 - 2) No, on what scale? _____
 - 3) Don't know

- 6) What do you think of the land tenure program?

- 7) Is the land redistribution actually benefiting the:
 - 1) Landless
 - 2) Farmers
 - 3) Politicians/Bureaucrats
 - 4) Rich citizens
 - 5) No one

Questionnaire**Page 3**

- 8) Is the land restitution policy equitable, just, fair and effective to all?
- 1) Yes
 - 2) No
 - 3) Don't know
- 9) What do you think are the impacts of foreign aid/donor assistance on the land reform program?
- 10) Do you think land reform will contribute positively or negatively to social equity?
- 11) Do you think that progress is being made on democratic consolidation in the country?
- 12) After independence, defining "Success" on a scale of 1 - 10, 10 being overwhelmingly successful, and 1 being completely unsuccessful; would you consider the country's land reform program a success or failure, why?
- 1) Succeed, on what scale? _____
 - 2) Failed, on what scale _____
 - 3) Don't know
- 13a) Do you think it is appropriate to use foreign currency to purchase local land?
- 1) Yes
 - 2) No
 - 3) Don't know
- 13b) If yes or no, why?
- 14) Has the government achieved meaningful land reform since independence?
- 1) Yes
 - 2) No
 - 3) Don't know

Questionnaire**Page 4**

- 15) **Is the land policy organizational structure effective and adequate for land reforms implementation in the country, why?**
- 1) **yes**
 - 2) **No**
 - 3) **Don't know**
- 16) **Do you think that most people have the financial resources to purchase land at its current value?**
- 1) **Yes**
 - 2) **No**
 - 3) **Don't know**
- 17) **Did the government annual budget adequately reflects commitment to land reform program?**
- 1) **Yes**
 - 2) **No**
 - 3) **Don't know**
- 18) **In striving for economic development, should land reform be motivated by social equity or based on the market?**
- 1) **Social equity**
 - 2) **Markets**
 - 3) **Both market/social equity**
 - 4) **Market/social equity considerations do not match**
 - 5) **Don't know**
- 19) **Why are the farm owners unwilling to sell their land?**
- 1) **Land value**
 - 2) **Farm profit**
 - 3) **Don't know**
- 20) **In your opinion, is the land reform policy favorable or unfavorable to women:**
- 1) **On the land restitution,**
 - 2) **On the land redistribution**
 - 3) **On the land tenure**

Questionnaire
Page 5

For authenticity of the research project, please give your (optional):

Name _____

Address _____

Occupation _____

Racial Identity _____

Please circle age category: 20 - 30 years

31 - 40 years

41 - 50 years

51 - 60 years

61 - 70 years

Others

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